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From the Governor
To
Majr. Vop- of the 3rd
Regiment

Town of Washington, 6th Sept. 1811.

Sir,

I inclose to you three military commissions to supply certain vacancies that have occured in your battalion which you are requested to deliver. You will immediately proceed to recommend proper persons to fill the several offices in the company commanded by Captain Downs.

I have the honor to be, &c.
Yr. obt. Servt.
David Holmes.

Head Quarters, Town of Washington,
6th Sept. 1811.

General Orders.

The Adams Troop of Cavalry are ordered to parade on Farans old field on Second creek on Friday the fourth day of October, being the day and place appointed for mustering the third regiment. They will form on such ground as the commander of the troop may think best calculated for the exercising of Cavalry.

David Holmes.
Commander in chief of the Mil. Mis. Territory

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Head Quarters, Town of Washington
6th September 1811

The Jefferson Troop of Cavalry are ordered to parade at Greenville on monday the 30th of September next, being the day and place appointed for mustering of the 4th Regiment they will form upon the right of the regiment

David Holmes.
Commander in chief of the Mid. Dist.

From the Governor
To
Majr. Hinds ...

Town of Washington, 6th Sept. 1811

Sir.

I inclose to you a general order of this day directing your troop to parade on the 30th of September next, at Greenville, being the day and place appointed for the mustering of the 4th Regiment.

Yr. most Ob. Servt.,
David Holmes.

From the Governor
to
Ferdinand L. Claiborne esq.

Town of Washington, 8th Sept. 1811.

Sir,

I had the honor to receive your letter of the 7th Inst. by the hands of Mr. Mead.

The question which it submits for my decision has received as full an examination as I have been capable of giving it, and with a disposition, I assure you Sir, to carry into effect, if found to be legally within my authority, what appears to have been the intentions of the Government relative to the subject. But after considering it in every view to which it presented itself to my mind I was compelled to conclude from the strongest convictions of my Judgment that the opinion which I formed and communicated to you verbally some time ago was correct.

If indeed I could consider the letter from the Secretary of War to you as a letter of appointment (the light in which you view it) there could be no difficulty in the case. Letters of appointment are frequently made out for officers appointed by the President in the recess of the Senate, and the terms of office so generally limited to the end of the succeeding session of Congress. They uniformly contain an authority to discharge the duties of the office and are for the time of equal validity with a commission. All such appointments however are submitted to the Senate who must sanction for their sanction and are either rejected or confirmed as they deem proper.

The letter from the Secretary of War to you is strictly

of a different purport. It conveys no authority whatever, and
have been intended to convey any as it expressly refers to a com-
which he states he has enclosed to you. By some mistake the en-
=mission was not forwarded with the letter. Is it in the power of
this Government to correct the error? I surely not. It can only be
rectified where it originated; in the war department.

If is true the letter of the Secretary may be con-
=sidered as an evidence of the fact of your having been appointed.
The circumstance however of a person's being appointed to an
office does not invest him with the power to enter upon the duties
appertaining to it. The delivery of the commission or letter of appoint-
ment is essentially requisite to complete his authority. I could remind
you of cases in confirmation of this principle, but I deem it unne-
=cessary to add any thing more upon the subject from a belief that
upon reconsidering your application you will be persuaded that it
to administer
is not in my power, to you the oaths of office as Brigadier General
of this Territory, and to authorize you to exercise the duties of that
office.

I have the honor, to be with respect,
Sir,
Yr. obt. Servt.
David Holmes.

From the Governor
To
The Secretary of War.

Town of Washington, 18th September 1811.

Sir,

I have the honor to inclose to me the copy of a correspondence that took place between F. L. Claiborne and myself respecting his appointment of Brigadier General of the Militia of this Territory.

I have the honor to be with great respect, Sir, Yr. obt. Servt.

David Holmes.

From the Governor
to
Mr. Taylor.

Town of Washington M. T.
17th. September 1811.

Sir,

I will thank you to procure for me the names of the firms who may be now engaged and committing trespass on the public land in your neighborhood, and also the names of those who during the spring and summer of the present year were employed in cutting down and hewing rafts of cypress timber on the lands of the United States near the mouth of the Homochitto. This information I am anxious to obtain, as it will enable me, not only to punish these depredators, but to compel them to remove from a position so favourable to the carrying on of their smuggling.

I am &c.

David Holmes.

Mr. Taylor.

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From the Governor.

To

The Hon.ble James Monroe

Secretary of State.

Town of Washington

20th [illegible]

Dear Sir,

The bearer of this letter, Colo Ballinger has been appointed by the Citizens of West Florida an Agent to the Government of the United States. The object of this step on the part of the people he appears me is not to importune the Government to adopt any measure in relation to their situation inconsistent with what may be the general policy and views of the administration but merely to have an opportunity of giving correct and useful information in case the affairs of that part of the Country should become a subject of deliberation before Congress at the approaching session.

Colo Ballinger possesses not only an accurate geographical knowledge of the whole Country as far as the Perdido but also a knowledge of the character and disposition of its inhabitants (by whom he is held in great estimation).

With these qualifications this gentleman may possibly be useful to the Government, for I believe him to be honest, and therefore take the liberty to recommend him to your notice.

I am, Dr Sir, with the highest respect & Esteem,

Yr. obt. Servt.

David Holmes.

General Orders.

Head Quarters, Town of Washington, 2nd Octr 1811

Ferdinand L. Claiborne having produced to me a Commission from the President of the United States appointing him a Brigadier General of the Militia of the Mississippi Territory I do announce the same to the respective troops and Regiments thereof, and do order that he be obeyed and respected accordingly.

At the request of Brigadier General Claiborne I do hereby declare that Lieutenant Edward G. Mead has been appointed his aid de camp, and is to receive the respect due to that office.

David Holmes.
Commander in chief of the Mil. of the Miss. Territory.

From the Governor
to
Lieutenant Francis Dwight

Town of Washington, 2nd October 1811.

Sir,

I have this instant received your letter inclosing your commission of first Lieutenant of the Advance troops, and requesting me to accept of your resignation.

I regret sincerely your determination to resign an office the duties of which you have performed with utility to your Country and credit to yourself, yet under all circumstances I have concluded to yield to your request, (your resignation is therefore accepted).

I have the honor to be with great respect, Sir, Yr. ob. Servt.;

David Holmes.

1st

From the Governor
to
Col. Benjamin Forman

Town of Washington, N.J. 3rd

Sir,

I have had the honor to receive your
of the present instt.

Your resignation of Captain of the
Troop of Cavalry, an office which you have filled with much
utility to your Country, and great credit to yourself, is accepted

I inclose to you a commission of Lieutenant
Colo Commandant of the Cavalry of the Territory, and hope
sincerely that you will find it convenient to accept this appoint-
ment. If you conclude to do so, Col. Dayton will be
glad to confer with you upon the arrangements necessary
to the organization of the Regiment. I pray you, sir, to accept
my best thanks for your kind wishes, and believe me, that they
are reciprocated from my heart.

I am with great respect, Yr. obt. Servt.
David Holmes.

From the Governor
To
Albert Gallatin esqr.
Secretary of the Treasury.

Town of Washington, N.J. October 1811.

Sir,

I have this day drawn a bill upon you
for five hundred dollars in favour of Parthe Wadsworth being
the amount of my salary for the quarter ending with the last
day of the last month.

I am, Sir, with great respect,
Yr. obt. Servt.
David Holmes.

From the Secretary
to
Silas Dinsmoor Esqr.

Town of Washington, 6th October 1811.

Sir,

Mr. John Norton wishes to have my opinion of the Standards for keeping a house of entertainment on the public road that leads through the Cherokee nation to the State of Tennessee, and has proceeded to me Satisfactory evidence of his being entitled to the confidence to be reposed in those who are permitted to occupy stands of this kind in the Indian Country. You will therefore consider this as my recommendation in his favour.

I am &c.
Henry Dearborn

Henry Dearborn of the District of Louisiana Territory, executing the powers and performing the duties of the Governor of the said Territory in his absence.

To all who shall see these presents.
Be it known that Edward Paine is hereby authorized and empowered to administer the oath of office required by law to the several officers that have been or may be appointed in the County of Franklin in the said Territory by the Governor of the said Territory, or by the Secretary thereof occasioned during a vacancy occasioned by the death, removal, resignation or necessary absence of the said Governor.

Given under my hand and the seal of the said Territory, at the town of Washington, the 15th day of October 1811.

(Seal)

Henry Dearborn

From the Secretary
to
Judge Leak.

Town of Washington, October 1811.

Sir,

During the absence of his Excellency Governor Holmes from this Territory I have received from Geo. Wm. Smith Esq. Lieutenant Governor of the Commonwealth of Virginia, (the office of Governor of that Commonwealth having been vacated) a communication alledging that James Daniel, otherwise called James David Brown, is a fugitive from Justice from that State, that he has taken refuge in this Territory, and in conformity with the act of the United States of Congress, in such case made and provided his Excellency Governor Holmes is requested by the Lieutenant Governor of Virginia to cause the said fugitive to be apprehended, secured, and delivered up to such agent as may be appointed on the part of the Commonwealth of Virginia to receive him.

In the absence of his Excellency Governor Holmes it is my duty, as Secretary of the Mississippi Territory, to attend to the

communication and request.

I am informed that the said fugitive is now in the jail of this County, charged with the same offence mentioned in the affidavit which accompanied the communication of the Lieutenant Governor of Virginia. I send you herewith the communication and affidavit.

I think you inform you that the request of the Lieutenant Governor of Virginia is, in my opinion, accompanied by such an affidavit, charging the said fugitive with having committed the crime therein stated, as is required by the said act of Congress to make it my duty, in the absence of the Governor of the Territory, to cause him to be secured and delivered up to such agent as may be appointed on the part of the Commonwealth of Virginia to receive him, and he being now in custody and under your control, I request such order to be made and such proceedings to be had in his case, as shall be, in your judgment, both calculated to enable me to comply with the above-mentioned request of the Lieutenant Governor of Virginia, and which shall be according to the laws of the land and consistent with the rights of the individual concerned.

I have sent you, for your information on this subject, all the papers received by me from the Lieutenant Governor of Virginia the contents of which relate to it. These you will be pleased to return to me.

I have the honor to be, sir, your most ob. Servt.

Henry Dearborn

Honble Walker Leake,
Judge of the Superior Court
of the Mississippi Territory.

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From the Secretary
to
Silas Dinsmoor Esq.
Choctaw Agent

Town of Washington 8th

Sir,

Affidavits of David Hubert and Harden D. Runnels, sworn to before John Brewer a Justice of the peace, are inclosed in a letter to Governor Holmes by Harmon Runnels residing on Pearl River, and are now in my possession. These affidavits state some time about the 17th day of April last, the said David Hubert and Harden D. Runnels hired a Chahtaw indian, known by the name of Joan, to guide them with a small drove of cattle round the big Towns, and in a conversation one night Joan informed them that two of the Chahtaw nation murdered a white man, a traveller, between Pearl River and Chickasawhay, near the white oak spring, in or about the fall of 1810. You will be pleased to make such enquiries and pursue such measures as shall appear to you best calculated to ascertain the correctness of Joan's information, and to bring the offenders to punishment if it be true.

By this days mail I received your letter of the 6th instant to Governor Holmes, the several subjects mentioned in it I will attend to without delay. The indians who were imprisoned in this place were liberated some time ago.

Yr. mo. Ob. Servt.

Henry Dearborn

The foregoing letter was not recorded in order of time through mistake

HD

From the Secretary
to
Hon.ble Wm. Eustis,
Secretary of War.

Town of Washington, Mi. 20th October 1811.

Sir.

I have this day drawn a bill upon you, his Excellency Governor Holmes being absent from this Territory, in favour of David Berry or order for Seventy five dollars, being the amount of his salary as interpreter to the Chactaw Indians due for the quarter which ended with the last day of the last months.

I have the honor to be, with great respect,
Sir, Yr. mo. Ob.t Ser.t
Henry Dearborn

From the Secretary
to
Sam.l Postlethwaith esq.r

Town of Washington, Mi. 21st October, 1811.

Sir,

Since the Governor commenced his journey for Virginia I sent the inclosed commission to Natchez by Mr. Simpson, expecting that he would meet with you there and have an opportunity of delivering it. He did not meet with you and returned it to me. It has remained in my office until this time, because I was in hopes that during the Court, which is now in session in this Town, I should see you here, or should find an opportunity of sending it directly to your place of residence. As this I have been disappointed, and therefore, have inclosed it to the care of Mr. Ships of Natchez, having been informed that you are frequently at his store.

Permit me, Sir, to assure you that I am truly

con cur with his Excellency Governor Holmes, who made
=ment, in believing that your acceptance of it will be for the
vantage, and in wishing that no circumstance may
prevent you from accepting it.

With respect,

Yr. most Ob. Sert,

Henry Daingerfield

From the Secretary
to
Mr. Benja. L. Smoot
Sheriff of Washington County

Town of Washington, 22nd October, 1811.

Sir,

On the 14th of July last his Excellency Governor Holmes
addressed a letter to you on the subject of your not having made a return
in due time, from your County of the late elections for the delegates to
represent this Territory in the Congress of the United States, and
requested you to inform him without delay, if you had forwarded
the returns, and by whom, in order that he might judge of your conduct
upon that occasion.

The return was sometime after it was received by mail,
but no reason has yet been assigned by you for the delay, or explanation
given of your conduct. This it is necessary you should do, and imme=
diately.

Yr. obt. Servt.

Henry Daingerfield

Copy of a certificate granted to the Honorable David Campbell

Judge of the Mississippi Territory.

Town of Washington, Mississippi Territory Sct.

Be it remembered that David Campbell esq. late of the State of Tennessee, now constituted and appointed one of the Judges in and over the Mississippi Territory by the written commission personally appeared before me, the undersigned Secretary of the Mississippi Territory, executing the powers and performing the duties of the Governor of the said Territory in his absence, and took an oath to support the constitution of the United States, and an oath faithfully, impartially and to the best of his skill and understanding executed the office of Judge in and over the said Territory

Given under my hand, at the Town of Washington, this 1st day of November 1811.

Henry Dangerfield

From the Secretary, acting as Governor to the Legislative Council and House of Representatives.

Gentlemen of the legislative Council and Gentlemen of the House of Representatives,

Believing that you would consider the present State of the revenue an object deserving your earliest attention and enquiry I have endeavored to collect such information relative to it, as I supposed would be useful to you at the commencement of your investigation. This investigation, I believe, cannot fail to furnish you with ample causes of satisfaction, and abundant evidence in favour of the present revenue laws in preference to the annual arrangements that were formerly adopted.

By reference to the accounts of the Treasurer and auditor I have ascertained that the amount of taxes and arrearages of taxes which were collectable before the first day of the present month was $31,845.46¼ of which there was received into the Treasury before that period $26,826.63, and that the disbursements made before the same period amounted to $17,901.62½ which leaves in the Treasury, of the actual receipts, a balance of $9,690.38¾ in which is included $800.00 appropriated for procuring standards of weights and measures.

$2,146,77 of the sum disbursed were appropriated to the discharge of that amount of the debt due from the Territory before the first day of November 1810, and which is the full amount of warrants issued before the first day of November 1810 which were presented within the time specified in that act of the 3rd of December 1810, to the auditor of public accounts to be by him registered. How the legislature changes the provision of this act, and authorizes the payment of the warrants which have not been registered, it is believed their amount, which cannot be ascertained with certainty, will be found to be very inconsiderable.

The Territorial debt being then, in any event, nearly discharged, the population of the Territory being greatly increased by emigration during the last year, and a considerable addition made to the taxable property within it, whence we may with propriety conclude that the receipts at the treasury will be greater for the present than they were for the last year; whilst there exists no probability that the expences and disbursements of the present year will much exceed those of the last, the balance which will be in the treasury on the first day of November next must be very considerable, and more than will be necessary, unless you shall agree with me in opinion, that to produce such a change in the present system, as will cause the receipts at the treasury of the money which shall be appropriated to meet any particular expence, before the expence shall be incurred, will contribute to the interest, advantage and character of the Territory.

Although the appropriations made are greater than the expences they are intended to meet, yet the expences, according to the present system, being incurred before the money intended to defray them is collected and received into the treasury, the Territorial officers and agents are oftentimes obliged to make purchases, and enter into contracts upon credit; consequently the things bought and contracted

for are procured at an advanced price, and the warrants issued by the auditor of public accounts when there is no money in the treasury to discharge them rapidly depreciate, which is contrary to the interest and injurious to the credit and character of the Territory.

If the taxes shall remain as they now are, from the statement I have made, it is evident that the appropriations will be depleted immediately, and entirely removed at the end of the present year by the large surplus of revenues which will then remain in the treasury.

I am induced, by the information I have received relative to the present situation of the business depending in the superior Court of law and equity of the County of Adams, to call your particular attention to this subject, and to advise that you make such alterations in the law which established and regulated the superior Courts of the Territory as shall afford a remedy for the existing evil.

I am informed that the business in this County has so increased and accumulated that, notwithstanding the common exertions and unremitting perseverance of the Judge who held the Court to terminate the business depending in it, the whole of the last term was exhausted in the trial of criminal prosecutions and a few appeals; and that all the civil causes at issue, which were very numerous, many writs of inquiry and appeals remain untried. Of these, which will be for trial at the next term, will be added many others before that period arrives, and together will form an object of attention more than sufficient to occupy the Court during the term with its present limits. By an act of the Legislature of this Territory a Judge of the superior Court of the District of Michigan, may order a special Court to be held for the trial of criminal causes. If instead of this provision a

seperate Court for that purpose should by Law be directed to be held
un conditionally, or if the limits of the terms of the superior Court of
Adams County should be extended, or the present number of terms
increased, perhaps, the evil might be remedied; but I present the
subject to you, Gentlemen, for your investigation and consideration,
and believe that you will thereby ascertain the proper and effectual
remedy. I have confined my observations to the seperate Court of
Adams County because I have not been informed that the business
in the superior Court of any other County is in a similar situation.

Since the departure of his Excellency Governor
Holmes from this Territory, I have received a letter from Edward
Ward esq. who was elected by the last legislature a member of the
executive council; in which he expressed his determination not to
accept of that appointment; It will therefore be proper and necessary
for you to elect a member to supply the vacancy occasioned by his
non acceptance.

These subjects, fellow citizens, I have named
to you at this time because I considered them entitled to your earliest
attention & consideration. The publick interests will no doubt require
that many others should occupy your attention before the end of
the session. Whatever aid I shall have it in my power to afford
you in the course of your deliberations shall be rendered with
pleasure, and on the adoption of all measures calculated to
promote the prosperity and happiness of the people, and advance
the character of the Territory I shall cheerfully concur.

Henry Dearborn

Town of Washington, 7th November, 1811.

From the Secretary
to
Mr. Mitchel

Town of Washington, 21st November 1811.

Sir,

As one of the committee appointed by the gentlemen who propose to form a troop of Cavalry in your neighbourhood to communicated to me their proceedings relative to that subject, I inform you that Governor Holmes has hitherto required that the number of individuals by law made requisite for any to form a troop of Cavalry, should appear and agree to serve before he commissioned the officers. This course I intend to pursue. The act of this Territory directs that a troop of Cavalry shall consist of one Captain, one first and second Lieutenant, one Cornet, four sergeants, four corporals, one trumpeter and forty privates. You will be pleased to inform me when the number of men shall have agreed to form a troop, and duly appointed the gentlemen you named to me to the offices to which they were recommended by their letter you before handed to me, as soon as I shall have received the information necessary to enable me to organize a Regiment of Cavalry agreeable to the statement I made to you at our former interview. You will be pleased to communicate this information to the gentlemen interested.

I am &c. Sir.

Henry Dearborn

From the Secretary
to
Mr. John G. Jones ...

Town of Washington, 22nd. November 1811.

Sir,

The representations and communications made to his Excellency Governor Holmes before his recent departure from this Territory, and those made to me since that event, compel me to believe you not qualified to perform the duties of the Clerk of the superior and County Courts of Warren County, and that the public interest demands that some person more capable of performing them should be appointed to those offices. Your commission of Clerk of those Courts has, therefore, been revoked, and Mr. Henry G. Johnston appointed to succeed you, to whom you will deliver the papers of your offices.

I have most reluctantly adopted this measure, and lament that a necessity for it exists; but this necessity existing it became my duty to act as I have done, and by that consideration alone have I been actuated.

I am, Sir, Yr. ob. Sert.

Henry Dearing Jr.

From the Secretary
to
Hon.ble Walter Leake

Town of Washington, 22nd. November 1811.

Sir,

Inclosed I send you a commission for Mr. Henry G. Johnston whereby I have appointed him Clerk of the superior and County Courts of Warren County, and a letter to Mr. John G. Jones informing him of this event. You will be pleased to have them delivered to them.

Yours of the 9th instant I received by the last

mail, but such are the arrangements made at the post office in this Town that there is not sufficient time allowed between the arrival of the mail and closing of the one to go out to enable me to accomplish the public business, and it was closed on the last mail day before my letters were ready.

I am much gratified by the information contained in your letter that you will be in Washington when Congress shall have proposition of the offices, and I request you to endeavour to have the business done correctly, and consistently with the public interest.

Respectfully,

Yr. most Obt. Servt.;

Henry Dangerfield

From the Secretary to the Legislative Council and House of Representatives,

Gentlemen of the Legislative Council and House of Representatives,

In addition to the information contained in the enclosed papers, being copies of "originals on file" in the office of the Secretary of this Territory, I request you that the Auditor of public accounts has refused to pay the sum mentioned in the proclamation of his Excellency Governor Holmes, alledging that there is no law of the territory that would authorize him to do so. Wherefore the persons who have rendered the services required by the proclamation will remain unrecompensed without a legislative provision in their favour. I have, therefore, submitted the subject to your consideration.

Henry Dangerfield

Pownalborough, 23rd Nov. 1811.

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From the Secretary
To
William M.c Cleary

Town of Washington, 26th November, 1811.

Sir,

Enclosed I send you a copy of charges against your conduct as a Justice of the peace which have been exhibited to me, and a copy of the evidence presented in support of those charges. I have adopted this mode as best calculated, by giving you full and complete information of the charges against you, to enable you to defend yourself. Whatever evidence or communication you may think proper to submit to my consideration with this view, you will lay before me as speedily as the circumstances attending your situation will admit of.

I am &c.
Henry Dangerfield

From the Secretary
To
The Legislative council

Gentlemen of the Legislative Council,

An act establishing a Town in Washington County, by the name of St Stephens, which originated in the Legislature, council has been presented to me for my approval.

The 2nd section of this act diverts and deprives the owners of the proprietors of the land on which the Town is to be established of their right of dower in this land.

The result of the most mature and deliberate consideration that I have been capable of giving this subject is a conviction of opinion that to take from a woman her right, or to depend by a legislative act, in any instance, any of the rights and privileges which are given to them by this laws now existing

would be wrong. As, therefore, I cannot approve the act which it contains this provision, and do approve of all other parts of it, I have returned it to you, with whom it originated, for the reconsideration of the legislature.

Henry Dearborn.

Town of Washington, 9th December 1811.

From the Secretary
to
The house of Representatives.

Town of Washington 27th November 1811

Gentlemen of the legislative Council and House of Representatives,

In the absence of his excellency Governor Hobart I have received a letter directed to him from several Gentlemen acting as commissioners under a law of the State of New York, and an exemplified copy of that law. The contents of those papers relate to subjects on which it is proper you should decide. I have, therefore, sent you a copy of each, that the Executive may receive such consideration and attention as you may think it deserves.

Henry Dearborn

From the Secretary
To
Wm B Shelby esq.
Attorney General of the
Mich. Territory

Town of Washington 17th Dec. 1811.

Sir,

I solicit your presence at the Secretary's office tomorrow morning at as early an hour as your convenience will possibly admit of. I intended to have made this request orally because I desired your advice as attorney General of the Territory on subjects that have been presented for determination to me which are exciting the powers and performing the duties of the

Governor of this Territory, but this evening I have received information relative to transactions of a different nature, and more strictly within the sphere of your official duty, and which, for the reason, and its very great importance, makes it necessary that I should have an opportunity of conversing with you early in the morning. Your acquaintance with my present situation, and your well known readiness to yield accomodation when the public welfare requires it, renders an apology for this request unnecessary.

I have &c

Henry Dearborn

From the Secretary
To
Wm. P. Hunt Esq
Atto general for the
Miss. Territory ....

Sir

Town of Washington 14th December, 1811.

An act to extend the jurisdiction of Justices of the peace, and to amend the several acts now in force for the recovery of small debts, has passed the Legislature of this Territory, and has been presented to me for my approval. I have devoted much time to the consideration of the provisions of this act, and desiring to have the aid of your opinion before I come to a final determination upon the subject, I have, with that view, taken the liberty of submitting to you the following queries to which I solicit your answer.

1st Can the legislature of this Territory extend the jurisdiction of a magistrate Justice of the peace to subjects of greater value than twenty dollars, and thereby deprive the citizen thereof of the right of trial by jury, where the value of the thing in controversy shall exceed that sum?

2nd Will giving a right of appeal, (upon condition upon condition that the appellant shall enter into bond with security to prosecute the appeal to effect, abide the judgment of the Court, and make payment thereof with interest and costs,) from the judgments of the Justices of the peace to the County Courts, where there shall be a trial by

jury, with be such a preservation of the right of trial by jury as is contemplated by the 7.th article of the amendments to the constitution of the United States, if that article is applicable to cases arising within this Territory?

With de.

Henry Dearing Pfield

From Wm B. Shelby esq.
Attorney General of the Miss. Terry.
To
The Secretary . . . . . .

Decr 18.th 1811.

Sir,

I am of opinion that the legislature of this Territory cannot extend the jurisdiction of Justices of the peace to sums beyond twenty dollars, or deprive the citizens thereof of the right to trial by jury in any case where the matter or sums in controversy shall exceed that amount.

I cannot consider that the right of the party to an appeal, who may consider himself agrieved by the judgment of the justice, and on which appeal the trial by Jury is secured to the appellant by the law in question can in any shape alter the right which the party originally had to that form of trial.

I am &c.

Wm B Shelby

From the Secretary to the legislature to council and of Representatives—

Gentlemen of the legislature to council, and gentlemen of the house of representatives,

An act to extend the jurisdiction of justices of the peace, and to amend the several acts now in force for the recovery of small debts has been presented to me for my approval.

I lament that I perceive a different opinion with respect to the power of the legislature of this Territory to extend the jurisdiction of a justice of the peace beyond the sum of twenty dollars from that which has been respected by a majority of the legislature, and that it has become my duty to disapprove of this act because it would deprive the citizens of this Territory of the right of trial by jury intended to be secured to them by the ninth article of the amendments to the constitution of the United States. By a committee of gentlemen, with the attorney general of the Territory this opinion has been confirmed, and, therefore, I have been compelled, by a conscientious sense of duty, to disapprove of the act.

Henry Daniel
18th Dec. 1811.

From the Secretary
To
Mr. Elisha Mcryaet.

Town of Washington, 19th December 1811.

Sir,

Being informed that your place of residence is in that part of the former County of Wayne which now forms a part of the new County of Greene, and that you would prefer the Clerkship of the Court of that last County. I have sent you a commission for that office, and request you to deliver the papers records &c of your former office of Clerk of Wayne County to Mr. Elisha Gray, who has been appointed your successor. I am &c

Henry Daniel

Certificate granted to
William Lyon
by the Secretary ....

I Henry Dearborn, Secretary of the Mississippi Territory, executing the powers and performing the duties of the Governor of the said Territory, do hereby certify that William Lyon named in the annexed appointment, made by George W. Smith my Secretary, Governor of the Commonwealth of Virginia, and thereby authorized to receive from the executive of this Territory a certain James Daniel, alias James Daniel Brown, did on the 28th December 1811, at the Town of Washington, in the Mississippi Territory, of me demand the said James Daniel, alias James Daniel Brown, who had previously made his escape from the jail of this Town, and has not since been apprehended.

Given under my hand, and the seal of the said Territory, at the Town of Washington, the 28th December 1811.

Henry Dearborn

From the Secretary ..
To
Anthony Campbell.

Town of Washington, 28th December, 1811.

Sir,

As Secretary of the Mississippi Territory, executing the powers and performing the duties of the Governor thereof, I have received your commission of the Clerk of the City of Natchez, of which you are hereby informed. Thomas B. Reed esq has been appointed to succeed you in that office, to whom you will deliver the papers, records, books and property of every kind appertaining or belonging thereto without delay.

Henry Dearborn

Mr. Anthony Campbell.

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From the Secretary
To
Thomas B. Reed ...

Town of Washington, 28th D...

Sir,

Inclosed I send you a commission as Clerk of the City of Natchez, and a letter to Mr. Anthony Campbell which will inform him that he has been removed from that office. I think it important that you should deliver this letter to Mr. Campbell, and at the same time inform him that you are ready to enter upon the duties of the office, and to receiving from him all things belonging and appertaining thereto, This I, therefore, request you to do, and have left the inclosed letter to him unsealed for your perusal, that you may know what I have required him to do.

With great respect &c

Thomas B. Reed esqr.

Henry Dearborn

From the Secretary
To
Samuel Brooks esqr.

Town of Washington, 28th December 1811.

Sir,

I take the liberty of requesting you, as President of the select men of the city of Natchez, to make known to them that I have revoked Anthony Campbell's commission as Clerk of the said City, and have appointed Thomas B. Reed to that office.

The original documents, which were removed from the city Clerk's office by Anthony Campbell without the authority of the select men, and which are in my possession pursuant to a resolution of the legislature, I shall deliver, with

The inclosure and seal which confined and secured them when I received them unbroken, to Mr. Reed as soon as he shall have taken proper steps of the office to which he has been appointed.

I have &c.

Samuel Brooks esq.

Henry Dearborn

From the Secretary
To
John Donaho....

Town of Washington, 28th December 1811.

Sir,

I have this day received your letter of the 26th inst. The charge exhibited against you is that by an election made by Capt. Lea's company in the County of Amite, Capt. Lea was designated by a large majority of votes as the proper person to be appointed a Justice of the peace for the district of that Company, in preference to Mr. Boulton, who was a candidate for that appointment. At this election you were present, and exerted your influence in favour of Mr. Boulton; and immediately after the election you recommended Mr. Boulton to me as a proper person to be appointed a Justice of the peace, without informing me that this election, at which you were present, had been made, or acquainting me with any of the circumstances attending it.

This has the appearance of an attempt on your part to deceive me into the appointment of an individual into office contrary to the wishes of his fellow citizens, to whose consideration he had previously submitted his pretentions.

I shall attentively consider any explanation you may have

to make on this subject, and did not intend to act upon it
I had given you this information.

I have &c

John Donaho esq.

From the Secretary
To
The Secretary at War

Town of Washington, M.T. 9th January 1812.

Sir,

I have this day drawn a bill upon you in favour of Governor Holmes being absent from the Territory, in favour of David Berry interpreter to the Chactaw Indians for seventy five dollars, being the amount of his salary due for the quarter which ended with the last day of the last month.

I have &c

Henry Daingerfield.

Hon.ble William Eustis,
Secretary at War.

From the Secretary
To
Silas Dinsmoor.

Town of Washington, M.T. 25. January 1812.

Sir

I am informed that one of the public stands in the Chactaw Country has become vacant by the death of Mr. S. Mitchel, who occupied it previous to his death. Mr. E. Mitchel is an applicant for permission to occupy this station; and from the communications that have been made to me relative to his character, I am induced to advise that he should succeed in his application.

I have &c

Henry Daingerfield

Silas Dinsmoor.
Agent to the Chactaw nation.

From the Secretary
To
John Hanna

Town of Washington, 3rd Feby, 1812.

Sir,

Colo Carson will deliver you a commission of Sheriff of the County of Washington, Being so much indisposed that I cannot attend to business without much pain and difficulty, I shall rely upon him to explain to you the particular motives which have induced me to appoint you to this office, and to name to you the particular reasons I have for earnestly wishing you to accept of the appointment. Colo Carson will also deliver you a letter to Mr. Smoot, which will inform him his resignation has been accepted, and wherein I have requested him to deliver to you all the papers, relating to the office of Sheriff, which it is right and proper you should receive from him on his resignation. This letter you will be pleased to have delivered to Mr. Smoot.

Mr. John Hanna.

Yr. &c.
Henry Danenfield

From the Secretary
to
Brig.r S. Smoot.

Town of Washington, 3rd Feby, 1812.

Sir,

Your resignation of the office of Sheriff of the County of Washington has been received and accepted by me. Mr. John Hanna has been appointed to fill the vacancy occasioned by your resignation, to whom you will be pleased to deliver all such papers, relating to the office of Sheriff, which the law requires he should receive from you on your resignation.

Yr. &c.
Henry Danenfield.

Mr. Brig.r S. Smoot.

From the Secretary
to
H. G. Johnston.

Town of Washington, 10th March, 1812.

Sir,

I have this day received your resignation of the Clerkships of the superior and County Courts of Warren County, and have appointed Mr Thomas Dewitt your successor; to whom you will be pleased to deliver the papers, records &c belonging to those offices.

I hope the indisposition, which has caused his resignation, will not be as ~~many~~ serious as you at present apprehend.

I am &c

Mr H. G. Johnston. Henry Dearborn

From the Secretary
to
Samuel Robinson esq.

Town of Washington, 10th March, 1812.

Sir,

Severe indisposition of long continuance has prevented me from answering, and attending to the contents of your letter of the 18th December, 1812, before this period.

I lament that you find it necessary to resign the public offices that have been conferred upon you; and deeme satisfactory from your appearances that Mr Perry is in all respects qualified to discharge the duties of a Justice of the peace, to which office I have this day appointed him.

I am &c

Samuel Robinson esq. Henry Dearborn

From the Secretary
to
Gray Briggs ... 3

Town of Washington, 13th March, 1812.

Sir,

I am informed that it is your intention to resign the office of Chief Justice of the Orphans Court of Franklin County, to which you have lately been appointed; and that you intend to resign because some persons in that County are dissatisfied with the appointment. The right of appointing rests solely with the executive, tho' it has uniformly been my practice, before I have made an appointment to seek for information relative to the capacity and character of the individual to be appointed. This was done in your case, and I was induced by the information received to confer this appointment upon you. Since I have heard of the proceedings in Franklin County I have renewed the inquiry, and the result is that I am fully satisfied that I did right in appointing you, and am desirous that you will continue to perform the duties of the office

with &c

Gray Briggs esq. Henry Daringfield

Henry Daringfield, Secretary of the Mississippi Territory, executing the powers and performing the duties of the Governor said Territory in his absence,

To all who shall see these presents:

Be it known, that Gray Briggs esq is hereby authorized and empowered to administer all oaths of office, required by law, to the several officers that have been or may be appointed in the County of Franklin, in the said Territory, by the Governor of the said Territory, or by the Secretary thereof during a vacancy occasioned by the death, resignation or necessary absence of the said Governor.

Given under my hand, and the seal of the said Territory, at the Town of Washington, this day of , 1812. Henry Daringfield.

(L.S.)

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From the Secretary
To
Judge Campbell.

Town of Washington, Mi. T. 1st Apl 1812

Sir By the last mail I received your letter of the 1st ulto. to his excellency Governor Holmes.

By the act of Congress respecting fugitives from justice the demand of the executive authority of one State or Territory to that of another for a fugitive from justice must be accompanied by a copy of an indictment found, or an affidavit made before a magistrate, charging the person so demanded with having committed treason felony, or other crime certified as authentic by the Governor or chief magistrate of the State or Territory from whence the person so charged fled. When I shall have received, either the copy of an indictment found against the person accused, named in your letter, or an affidavit charging him with having committed the offence therein mentioned, I shall proceed, as the law of Congress directs, to demand him of the executive of the State of Tennessee, that he may be removed to the County of Madison in this Territory to be tried

Hon.ble Judge Campbell

With de
Henry Dangerfield

From the Secretary
To
Lewis Winston

Town of Washington, 1st April 1812.

Sir.

By the last mail I received your letter of the 1st. ulto. to his excellency Governor Holmes.

By the act of Congress respecting fugitives from justice the demand of the executive authority of one State or Territory to that of another for a fugitive from justice must be accompanied by a copy of an indictment found, or an affidavit made before a magistrate.

charging the person so demanded with having committed treason felony or other crimes, certified as authentic by the Governor or chief magistrate of the State or Territory from whence the person so charged fled. When I shall have received either a copy of an indictment found against the person accused, named in your letter, or an affidavit charging him with having committed the offence therein mentioned, I shall proceed as the laws of Congress direct to demand him of the executive of the State of Tennessee that he may be removed to the County of Madison in this Territory to be tried.

I am &c

Genl Winston esq. Henry Dearing pd

From the Secretary
To
The Secretary at War.

Town of Washington, Mo. 11 April 1812.

Sir,

His excellency Governor Wilson being absent from this Territory, I have this day drawn a bill upon you in favour of David Barry, or order, for seventy five dollars; being the amount of his salary, as interpreter to the Chactaw nation, due for the quarter which ended with the last day of this last month.

I have &c

Hon.ble William Eustis. Henry Dearingfield

Secy at War.....

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From the Secretary
To
Joshua Howard

Town of Washington 30th April

Sir,

When you were at my house a few days ago I requested you to converse with Mr. McCrory on a particular subject. I will be very much obliged to you to inform me, by the earliest opportunity, what was the result of that conversation, and what is Mr. McCrory's determination on the subject named to you.

I am Sir &c
Mr. Joshua Howard. Henry Daingerfield

Henry Daingerfield, Secretary of the Mississippi Territory, exercising the powers, and performing the duties of the Governor of said Territory,

To all who shall these presents:

Whereas Ned, a negro man slave, was convicted of burglary at a Court held in the last and present months in the County of Adams, and sentenced to suffer death; and Whereas eleven of the jurymen who tried the said Ned, and many other citizens of this Territory, have represented to me that he is a proper object of executive clemency. Now know ye, that I having fully considered the representations aforesaid, and the circumstances attending the case, do, by virtue of the powers in me vested as Secretary of the said Territory, exercising the powers and performing the duties of the Governor of the said Territory, pardon the said Ned, and remit all punishment to which he is subject by the sentences of the Court, in consequence of the conviction aforesaid.

Given under my hand, and the seal of the said Territory, at the Town of Washington, the 6th day of May, 1812. Henry Daingerfield

(LS)

By Henry Daingerfield, Secretary of the Mississippi Territory, exercising the powers, and performing the duties of the Governor of the said Territory; To the Sheriff of Claiborne County,—

Whereas Allen Barnes, late a member of the house of Representatives in the general assembly of this Territory, from the County of Claiborne, has departed this life, I do, therefore, issue this writ, directing you to hold, conformably to law, an election in your County, on the first and second days of June next, to fill the vacancy occasioned thereby.

Given under my hand, and the seal of the said Territory, at the Town of Washington, the 5th day of May, 1812, and in the 36th year of the independence of the United States of America.

Henry Daingerfield.

(LS)

From the Secretary
to
The Sheriff of Claiborne County

Town of Washington, 5th May, 1812.

Sir,

You will recollect that the election to be held agreeably to the annexed writ, in as much as it is to choose a member to serve during the time for which Mr. Barnes was elected, must be conducted, in all respects, conformably to the law which was in force at the time Mr. Barnes was elected.

You will be pleased to acknowledge the receipt of this letter, which is sent by mail, no safe private opportunity offering.

I am &c.

Henry Daingerfield.

Mr. Joseph Briggs.
Sheriff of Claiborne County.

From the Secretary
To
Judge Toulmin

Town of Washington, May 11th 1812

Sir,

I have had the satisfaction to receive two letters from you, one dated the 2nd, the other the 30th March last. A long and severe spell of sickness prevented me from making to the Secretary of State the semi annual communication of the proceedings of the executive of the Territory, required by law, at the time it ought to have been made; and since my recovery, I have been so much occupied in accomplishing this business, and in performing such other parts of the duties of my present station, which could not be postponed, that I have not had time to acknowledge, as soon as I wished, the receipt of letters, and the very great aid and assistance in transacting the business of my office that I have received from the information contained in them.

I have not yet received Mr. Sexton's resignation. When I do, your recommendation in favour of Colo. Skinner will be remembered.

Mr. William Bates has been appointed Clerk of the superior Court of Baldwin County, and he will receive his commissions by the mail which will carry this letter. I am not acquainted with any young gentlemen, of the character and qualifications specified in your last letter, that I could send to Baldwin County to fill this office.

Neither "carelessness" or "inadvertency" will be accepted as the necessary precautions to prevent the intermeddling of third persons ought to excuse an officer for permitting names to be picked from the jury box: such an event is excusable only where he has acted with the greatest care and circumspection. I, therefore, solicit you to inquire

fully into this transaction, and communicate to me all the information relative to it that you shall receive. I should consider myself guilty of an unpardonable neglect of official duty if I were to suffer this transaction, the evident and direct effect of which is to corrupt the fountains of public justice, to pass without the strictest examination, and the application of such corrective remedy, if within the limits of my authority, as shall correspond with the circumstances of the case. If there are any existing causes that shall prevent you from complying with my request relative to this subject you will be pleased to inform me; in which event I shall desire the attorney for the County to make the enquiry.

The inclosed paper was received with one of your letters when I was too much indisposed to attend to any business. I lament that it has been overlooked until this time.

Hon.ble H. Toulmin. &c. Henry Daingerfield.

From the Secretary
To
Joseph Johnston

Town of Washington, 18th May, 1812.

Sir,

Your letter to his excellency Governor Holmes, dated the 5th of February last, was received by me in his absence. Your resignation of the office of Clerk of the superior Court of Baldwin County was not then accepted, because I was not sufficiently acquainted with the character and qualifications of the inhabitants of that County to enable me to appoint a clerk to succeed you; and because the time between the period at which your letter was received, and that at which the succeeding session of the Court, of which you were Clerk, commenced, was too short, I apprehended,

to allow me to make the necessary enquiries, and for the performance of the several things requisite for the instalment into office of your successor. Your resignation is now accepted; and I have appointed Mr. William Baty to succeed you, to whom you will transfer and deliver the records, books, papers, and all other things appertaining and belonging to the office which has been held by you.

Mr. Jos: Johnston.

I am &c,
Henry Dearing field

From the Secretary
to
William Baty

Town of Washington, 18th May, 1812,

Sir,

Inclosed I send you a commission of Clerk of the superior Court of Baldwin County, and a letter to Mr. Joseph Johnston, informing him that his resignation of this office is now accepted, and that you have been appointed his successor. This letter you will be pleased to deliver to Mr. Johnston. Before you enter upon the performance of the duties of this office you must take the oaths in such cases prescribed by the laws of the Territory, and give bond, with good security, for the faithful performance of those duties. The bond must be sent to me as Secretary of the Territory.

Mr. William Baty.

I am &c,
Henry Dearing field.

From the Secretary
to
Genl. Ferdinand L. Claiborne

Town of Washington, 15th June, 1812.

Sir,

Conformably to your recommendation I have with
inclose to you commissions for Lieutenant Hunter and Ensign
Bell of the 2nd Regiment.

I have &c,

Henry Dangerfield

Genl. F. L. Claiborne.

From the Governor.
To
The Secretary at War.

Town of Washington, 15th June, 1812.

Sir,

Your letter of the 27th of April was received
by Mr. Dangerfield previous to my arrival at this place. In con-
=sequence thereof he immediately took such measures as were deemed
necessary requisite to prepare the militia for any call that might
be made by General Wilkinson.

The inclosed returns will furnish accurate
information of the strength and condition of the militia of this
Territory. You will perceive how defectively they are armed. Hereto-
=fore it has been, and still is, impracticable to procure arms suitable
for actual service in this part of the United States. I would there-
=fore respectfully suggest to you the propriety (under existing circum-
=stances) of the Government lending to the Territory a sufficient
number of arms to arm one thousand infantry and one hundred
and fifty light dragoons. Should the Government determine
to furnish them, as early possible care shall be taken to have
the arms kept in good order, and in places of safety. We have
—none

some companies of Light infantry and riflemen; and a [illegible] of Cavalry who are volunteers, liable at all times to be called into service. No greater inducement could be held out to the young men of the Country to enter those corps than that of furnishing them with arms.

I have &c,

David Holmes.

Hon.ble
William Eustis.
Secretary of War.

From the Governor
to
Colo Wm Nelson

Town of Washington, 18th June, 1812.

Sir.

Mr. James Fleming will deliver to you four commissions conformably to the recommendation made by your letter of the 31st May.

If Captain Barrot has not resigned his office you will inform him that his name has been stricken from the roll of officers, and that he is no longer to consider himself in commission.

I am &c,

David Holmes.

Colo Wm Nelson

The Governor
to
Governor Claiborne

Town of Washington, 22nd June, 1812.

Dear Sir,

I have seen in a public print an act of Congress to enlarge the boundaries of the Mississippi Territory, by which it appears that all the track of Country lying east of Pearl River, with the Perdido, and South of the thirty first degree of North latitude is annexed to our Territory. In all probability it will be my duty to organize this newly acquired Country, and as you have, heretofore

exercised authority as Governor over the same, it is in your power to afford me some useful information in the discharge of this duty. I will, therefore, thank you for the name of that person, that I have been so misinformed to fill the office within that district under your government, and any other information which, in your opinion, will aid me in performing this duty.

I am &c. David Holmes.

Maj. Genl
Wm. C. C. Claiborne.

From the Governor
To
Colo. James Caller

Town of Washington, 23rd. June, 1812.

Sir,

Your letter of the 14th inst. and with one signed by Colo. Carson, Majr. M. Green, and yourself, covering certain papers containing information relative to the hostile views of the Creek Indians were received by express on Sunday last. In consequence thereof I have deemed it proper to request Major Bowyer, the commanding officer at Fort Stoddert, to station a full company of regular troops, at such a point on the frontiers between the Tombigbee and Alabama as he may suppose to be best calculated to protect the inhabitants against the aggressions of the enemy. In order to render this force more effectual I have concluded to furnish the detachment with a party of mounted militia. You will, therefore, immediately upon the receipt of this letter detach from your regiment a subaltern and twenty privates to act as a scouting party to the detachment of regular troops. They are to be mounted on horseback, and will be furnished with arms,

ammunition, and provision by the commanding officer of Ft Stoddert to whom you will order the detachment to report himself as soon as he is prepared with his men to enter upon the service. He will consider himself under the command of the commanding officer of the detachment of regular troops. You will also command detailed from the 6th, 8th, 9th, and 13th regiments one Major, six Captains, six Lieutenants, six Ensigns, and three hundred and sixty privates, with the competent number of non commissioned officers. They are to be held in readiness to march at the shortest notice. This detachment is intended to unite and act with the regular troops in case the Indians should enter the Country in considerable force with hostile intentions. In this event, or upon certain information that they have embodied with that view, you will apply to the commanding officer at Fort Stoddert for one hundred and forty stands of arms, and as much ammunition as will furnish for each stand twelve cartridges. Colo Carson will at the same time apply for sixty stands of arms, and the same proportion of ammunition. These two hundred stands, with the rifles that can be procured in the Country I presume, will be sufficient to arm the detachment. I have limited my request to this number of arms and quantity of ammunition from a belief that there will not be more to spare from the garrison. Should however circumstances require the aid of this detachment from the militia, I entertain no doubt but that the commanding officer at Fort Stoddert will do every thing in his power to render the force effective. If sixty stands should be more than sufficient to arm that portion of the detachment which shall be drawn from the regimental command by Colo Carson, the remainder will be delivered to your order. You will

bear in mind that the men who may be detailed to compose the detachment are only to hold themselves in readiness to march when ordered. They are not to be assembled unless you should receive information upon which you can rely that there are just grounds to believe that the Indians intend to attack the settlements in considerable force. In that event you will order the detachment to rendezvous at Fort St Stephens, or any other point you may think more convenient, of which you will immediately inform Major Bowyer the commanding officer at Fort Stoddard, under whose orders this detachment will act. If, when you receive this letter, all fears & apprehensions of danger from the Indians shall fortunately have ceased to exist, you are not to carry into effect the orders, or to make the requisitions herein directed. You will recollect that they are authorized upon the ground that there is real danger of the frontier settlements being disturbed.

I have &c.

Col.o Jas. Caller
6th Regiment

David Holmes
Govr. in chief Mil. Misp. Terry.

From the Governor ... To Major John Bowyer

Town of Washington, 23rd June, 1812.

Sir,

From information received on Sunday last by express from Fort St Stephens, I am led to believe that a portion of the Creek nation of Indians entertain hostile views towards the United States, and that the citizens residing upon the Tombigbee are in considerable danger. It has been represented to me (upon oath) that two travellers were murdered on the road leading to Georgia & that many of the Indians have

threatened the white inhabitants with destruction, and have lately procured from Pensacola ammunition and [illegible] for the purpose of carrying this threat into execution. Under such circumstances it is our duty to afford protection to the [illegible] in that quarter of the Territory. I presume you have, as commander of the post at Fort Stoddert, general instructions for the government of your conduct in cases of this nature. I deem it, however, my duty to call your particular attention to the defence of the frontier settlements; and do, therefore, request that you will detach from your command one complete company to be stationed at such a point on the frontiers between the Tombigbee and Alabama as in your opinion will be best calculated to protect the inhabitants against any straggling parties that may enter the Country with hostile intentions. I am told that not far from where Caller's road leaves the settlement would be an eligible position; of this, however, you must be the judge.

The object of the detachment being to guard the frontier inhabitants against the depredations of the Indians, you will order the officer who may be selected for the command to be vigilant in performing that duty; not only in repelling by force any aggression that may be made, but by apprehending any Indians who may appear in arms, or to whom (from other circumstances) suspicion of hostility may be attached.

For the purpose of enabling the commander of the detachment to obtain information at a distance from the place where he may be stationed, and also to [illegible] him to know your exit made when it may be necessary, I have ordered Col. Caller to detach from his regiment a subaltern and twenty men to be well armed and mounted on horseback. They are to act as a scout

part of the regular troops, and be under the orders of the commanding officer of the detachment. They should be ordered to patrol the Country as far above and below the stations as the settlements extend. I must request that you will give the Company orders to place the scouts furnished with arms, ammunition, and provisions.

You will continue your detachment on the frontiers until every appearance of danger to the inhabitants shall cease. But should the hostile disposition of the creeks indicate more general than I have reason to believe it is at present, and should they enter the Country in considerable numbers, they must be met and repelled with the troops under your command, and such a portion of the militia as the occasion may require. I have directed Colo Caller to have detached from the four Counties Joined together a battalion to consist of three hundred and sixty men with the competent number of officers, to be held in readiness to march at the shortest notice. As the Militia in that part of the Territory are almost entirely destitute of arms and ammunition, I must request that you will deliver to Colo James Caller one hundred and sixty stands of arms with as much powder and lead as will furnish twelve cartridges for each man so ordered; and that upon the application of Colo Joseph Carson you will deliver to him sixty stands of arms with the same proportion of ammunition. They are instructed not to make the application provided that the danger to the frontier settlements shall have ceased when they receive my letter.

That you may have a full account of the measures that I have taken, I enclose to you a copy of my letter of orders to Colo James Caller.

You will perceive from the tenor of my letter to you,

and this one to Colo Callen, that if, happily, all just apprehension of danger from the Indians shall have ceased to exist when you receive this communication, that you are not to make any movements, or to comply with any requisition herein contained.

I am &c.

Majr John Bowyer.

David Holmes.

From the Governor
To
Colo Covington.

Town of Washington, 23rd June, 1812.

Sir,

When I had the pleasure of an interview with you on monday last, I communicated to you the intelligence I had by express from Fort St Stephens in relation to the hostile attitude of a portion of the nations of Creek Indians, and informed you of the measures I intended to take in consequence thereof. I now enclose for your personal perusal copies of my letter to Major Bowyer commanding at Fort Stoddert, and to Colo James Caller, the commanding officer of the militia in that quarter of the Territory. If you should think proper, as the senior officer of the United States army now on the district, to make any communication to Majr Bowyer on the subject, it will probably have a beneficial effect, and may further the object which I have in view of protecting the frontier settlements in the Tombigbee from the depredations of the Indians. The express will leave this place early on tomorrow morning.

I have &c.

Colo Covington,
of the United States army.

David Holmes,

From the Governor
to
Colo Hawkins

Town of Washington, 24th June, 1812.

Sir,

Inclosed I send you copies of several depositions, and an extract of a letter received by me on Saturday last by express from Fort Stephens. It has been rendered by the contents of these papers, and additional information relative to the same important subject, received from other sources, to order a detachment of the regular troops now at Fort Stoddert, to consist of a complete company, and a detachment of the militia, to consist of a sub altern and twenty men, well armed and mounted on horse back, to be stationed on the Frontier between the Tombigbee and Alabama rivers, to protect the white inhabitants against any hostile attacks that may be made by the indians.

The object of this movement is the defence and security of the Frontier inhabitants, which is to be accomplished by repelling by force any hostile attack that may be made by the indians, and apprehending such indians as shall be found armed, or under such other circumstances as shall justify a belief that they are in pursuit of an opportunity of committing acts of hostility against the citizens of the United States.

This explanation you are requested to make to the chiefs of the creek nation as speedily as it can be done, and at the same time demand that the individuals who committed the murders mentioned in the inclosed copies of depositions be delivered up in order that they may be punished for the attacking act.

Yrs &c

David Holmes.

Colo Hawkins.

From the Governor
To
Colo John Hanes

Town of Washington, 24th June 1812

Sir,

By the inclosed copy of a letter from me to Colo James Caller you will see the measures that I have taken in consequence of the existing apprehensions of hostility from a portion of the creek nation of Indians. The contents of this letter you will communicate to Colo Carson upon his application. I request you to give me the earliest information respecting the conduct of the Indians upon the frontiers.

I am &c
David Holmes.

Colo John Hanes

From the Governor.
To
Colo Joseph Carson

Town of Washington, 24th June, 1812.

Sir,

I have this day transmitted to my aid de Camp, Colo John Hanes, a copy of a letter from me to Colo James Caller, to which I refer you for information relative to the measures I have taken in consequence of the hostile disposition of the Indians of the Creek nation. By it you will be informed that you are authorized in certain events, to call upon the commanding officer at Fort Stoddert for sixty stands of arms, and ammunition sufficient to furnish sixty rounds for each stand. If this number and quantity shall be more than sufficient to arm and furnish that portion of the detachments to be made by Colo Caller, or shall be taken from your regiment, you will hold the remainder subject to Colo Caller's order, and inform him of the same.

I am &c
David Holmes.

Colo Joseph Carson.

From the Governor
to
The Secretary of War

Town of Washington, MS. 29th June, 1812.

Sir,

An express arrived twice a few days ago from Fort St Stephens with a number of letters and sworn depositions representing the danger to be apprehended by the inhabitants of the frontiers on the Tombigbee from the hostile views of a part of the creek nation of indians. Believing as I did, not only from the information received by express, but from other sources, that a considerable portion of the creek indians were unfriendly disposed towards the United States, and that there existed real danger of their commencing aggressions upon the settlements lying between the Tombigbee and Alabama, I deemed it my duty to take immediate measures for defending the same under this impression. I wrote the letter to Major Bowyer and one to Colo Caller. I also wrote to Colo Hawkins and inclosed to him transcripts of these depositions. You will perceive that I received copies of these papers. They fully explain the course which I have thought proper to adopt. I am well aware, Sir, that the request for aid from the regular troops should have been made through the commanding officer of the district; but the occasion called for dispatch, and those were made the application through that channel would, on all probability, have defeated the object.

Hon.ble Wm Eustis
Secretary of War.

Yr. &c.
David Holmes.

P.S. I inclose a copy of a letter received by the last mail from J. Kelly, agent to the Cherokees, stating his apprehensions for the safety of the public factory at the Bluffs. I would suggest the propriety of having a few troops stationed at that place, if the danger from the Creeks should increase.

D H

From the Governor
to
Colo James Cutler.

Town of Washington, 29th June

Sir,

In my letter of the 23rd instant, forwarded by Mr Braddberry, an error has been made in naming the Regiments from which you are to make the detachment of three hundred and sixty men. It is there instead of the 13th Regiment, it should have been the 12th Regiment. The error must have been obvious to you, and, therefore, I presume has proceeded from inconvenience.

I am &c
David Holmes.

Colo James Cutler.

From the Governor,
to
Lieut: Colo Hicks.

Town of Washington, 6th July, 1812.

Sir,

Your letter of the 19th of June was handed to me this morning by Mr Daringerfield. That of the 26th of Dec. last was received at the office while Mr Daringerfield was confined to his house with indisposition, and from that cause it was not duly answered. I now enclose to you commissions conformably to the recommendation contained in your letter of the 19th ultimo, which you will deliver to the gentlemen for whom they have been respectively made out. From the existing state of public affairs we have every reason to believe that this Territory will be called upon for a considerable portion of the militia; I must therefore enjoin it upon you to have your Regiment organized as soon as possible. I have the honor to be with respect, &c

I am &c
David Holmes.

Lieut: Colo Hicks.

From the Governor
To
Lieut: Col? Hicks

Town of Washington, 8th July, 1812.

Sir,

You will immediately upon the receipt of this letter inform Major Marshall that his name has been stricken from the Roll of officers, and inform me by the earliest opportunity the name of the gentleman who may be entitled to fill the vacancy thus occasioned.

I am &c,

Lieut: Col? Hicks

David Holmes.

From the Governor
To
D. W. Brazeale.

Town of Washington, 8th July, 1812.

Sir,

Your letter of the 20th June was handed to me a few days ago. For your kind expressions respecting me I tender to you my unfeigned thanks. Conformably to your request I have appointed Mr Robert Moore a Justice of the peace. His commission is herewith forwarded.

I am &c,

Mr D. W. Brazeale

David Holmes.

From the Governor
To
The Secretary at War

Town of Washington, 10th July, 1812.

Sir,

I have this day drawn a bill upon you in favour of David Berry for seventy five dollars, being the amount of his salary as interpreter to the Shawanee Indians for the quarter ended upon the first day of the present month.

I have &c,

Hon.ble
Wm Eustis.
Secretary at War

David Holmes.

From the Governor,
To
Colo G. L. Rapelle

Town of Washington 11th July, 1812

Sir,

I have the honor to acknowledge the receipt of your letter of the 7th inst and with the packetts therein stated. The three letters which I also received; one for Andrew Rapelle, one for William Simmons, and one for John Campbell, I suppose you wish to have forwarded by mail. The enclosures give me no information respecting them.

I have &c.,

David Holmes.

Colo G. L. Rapelle.

Town of Washington, 11th July, 1812.

The bearer hereof Sergeant Van Buskirk delivered to me dispatches transmitted through Colo Gillert L. Rapelle. He is to be permitted to pass unmolested to the Cantonment St Tammany. All good citizens are requested to treat him with civility.

David Holmes.
Governor of the Miss: Territory.

From the Governor, ...
To
The Secretary of State

Town of Washington, 12th July, 1812.

Sir,

I have the honor to acknowledge the receipt of your letter of the 19th of June, with the inclosures, by express from Cantonment St Tammany.

The intelligence of a declaration of war by the United States against Great Britain was received by the citizens of this part of the Country with great satisfaction, from a

thorough belief that no other course could secure the Government from degradation. You may rest assured, Sir, that that measure will meet with all the support that the people of the Mississippi Territory are able to give it. It is true that, from obvious causes, we cannot promise much, but we will cheerfully exert the physical force of the Country as far as it may be practicable, and upon any occasion that shall be approved by the general Government.

I have &c.

Honble. James Monroe,
Secretary of State.

David Holmes.

From the Governor ...
To
Colo. Timothy Terrell

Town of Washington, 12th. July, 1812.

Dr. Sir,

Your letter of the 3rd. inst. was handed to me a few days ago.

Your conjectures respecting the Chactaw Indians I believe to be correct. I cannot persuade myself that there is any real danger to be apprehended from that quarter. You will however communicate to me any information that you may be able to obtain respecting their views and intentions.

On yesterday I received by express a copy of the declaration of war by the United States against Great Britain. I therefore enjoin it upon you to have your regiment in the best state of organization that circumstances will permit.

It will give me much satisfaction to hear from you as often as any occurrence may happen which you may deem worthy of being communicated.

I am &c.
David Holmes.

Colo. T. Terrell.

From the Governor
To
Colo William Yerby.

Town of Washington, 12th July, 1813.

Sir,

I do myself the honor to enclose to you (conformably to your request) a commission for Mr Clemens as constable, and also a commission for yourself as Notary Public, which I hope you will accept.

I am &c

David Holmes.

Colo W. Yerby.

Head Quarters, Town of Washington, 14th July, 1813.

General Orders

For years past the conduct of the Government of Great Britain towards the United States has been marked with a degree of enmity not short of actual hostility.

The most destructive aggressions upon our commerce, the grossest insults upon our national character, and the most nefarious intrigues for the prostration of our free and happy constitution have been practised by this unfeeling and unrelenting foe, without the least cause of offence having been offered by this nation thus injured and insulted. The United States from her attachment to peace, from the principles of her Government, which has for its object the safety and liberty of its citizens, and from a disposition that reigns in the hearts of freemen, rather to ameliorate than to depress the condition of man, have had recourse to every means within their power (short of the abandonment of those rights that ought to be resigned only with existence) to obtain a redress of these wrongs without appealing to the last resort of abused nations. But their humble endeavours have been rewarded in vain. Friendly remonstrance

have been frequently repulsed with insult. We have been told in effect by the British cabinet that they respect rights growing out of power which they are determined to exercise in defiance of justice and in violation of the established laws of nations. But one course was left for the Government of the United States to pursue in order to maintain the character, independence, and rights of the nation. That course has been adopted, and with a magnanimity that became the representatives of a free and enlightened people. By the constituted authorities war has been declared to exist between the United States of America, and the United Kingdom of Great Britain and Ireland, and the dependencies thereof. This measure, so highly important and honorable to the Government of our Country, imposes the duty upon the Commander in chief of ordering such a disposition of the militia of the Territory as he may deem best calculated to protect the citizens thereof, to maintain order, and to make war upon the enemy with all the effect that our force and situation will permit. With this view the commander in chief orders (for the present) that the following details be made from the respective regiments composing the militia of the Mississippi Territory.

There will be detached from the 1st Regiment, one captain, one lieutenant, one ensign, four Sergeants, four corporals, two musicians, and sixty four privates.

From the 2nd Regiment one captain, one lieutenant, one ensign, four Sergeants, four corporals, two musicians and sixty four privates.

From the 3rd Regiment three captains, five lieutenants, three ensigns, twelve Sergeants, twelve corporals, six musicians,

and one hundred and seventy two privates. The volunteer forces in this regiment commanded by Captain Beckwith Painbeouff are to be included in this detail.

From the 4th Regiment there will be detailed one Captain one Ensign, four Sergeants, four corporals, two musicians, and fifty two privates.

From the 5th Regiment one Captain, one Lieutenant, three Sergeants, three corporals, two musicians, and fifty six privates.

From the 10th Regiment one Lieutenant, one ensign, one Sergeant, one corporal, and thirty privates

From the 11th Regiment one Captain, two Sergeants, two corporals, two musicians, and thirty eight privates.

From the 13th Regiment one Lieutenant, one ensign, two Sergeants, two corporals, and twenty six privates.

From the 7th Regiment two Captains, two Lieutenants, two Ensigns, eight Sergeants, eight corporals, four musicians, and one hundred and twenty eight privates.

By an order issued on the 23rd June last a portion of the Militia from the 6th, 8th, 9th and 12th Regiments as one, in a certain event, ordered to be held in readiness for actual service. This supersedes the necessity of any further order until a report shall be made to the commander in chief

The commanders of the corps of cavalry will have their respective troops prepared and in readiness to take the field whenever they may be ordered. Brigadier General Clabourne is charged with the execution of the details of this order. He will regularly report to the commander in chief the progress and completion of the duty.

The force thus ordered to be detailed are to be prepared and held in readiness to march at the shortest notice. They will be raised either by voluntary offers of service or by draft.

the undivided confidence of the commander in chief in the patriotism of the Territory will not permit him for a moment to believe that it will in any instance be requisite to resort to the latter mode. The sons of America will be proved to shew to the world that they are worthy of the inestimable inheritance transmitted to them. They will recollect that the war in which they are now engaged has for its principle object the support of that independence which the distinguished valor and sufferings of our fathers achieved; and that it is a holy duty we owe to God and posterity to preserve it entire at the hazard of our lives.

David Holmes,
Commander in chief of the militia of the Miss: Territory.

Town of Washington, 15th July, 1812.

From the Governor
To
Lieut: Colo. Caradine

Sir,

Conformably to your recommendation I herewith transmit to you commission for captain officer of your Regiment. From what you have stated respecting Peter McGaughan he cannot be appointed to any office in the Militia, you will therefore recommend some other person to fill the vacancy which it was intended he should supply.

Sam'l David Holmes.

Lieut: Colo. Caradine.

From the Governor.
To
Lieut: Colo. Wooldridge

Town of Washington, 17th July, 1812.

Sir,

From a representation made to me through the official channel I am informed that the Regiment which you have the honor to command, now is, and has been for a considerable time past, in a total state of disorganization, and that there is little prospect of a

favourable change without a change of the Commander. If this circumstance has been attributable to your want of health, and causes, none of which however go to implicate, in the smallest degree your honor as a Soldier. The important crisis demands of the commander in chief that he should use the means within his power to have the militia of the ~~territory~~ in the best practicable condition for actual service, and that as speedily as possible. Under these circumstances it becomes my duty to inform you (and I do it with infinite regret) that you are no longer to consider yourself as Lieutenant Colo. Commandant of the 5th Regiment of the militia of this Territory. Ralph Ragan esquire has been appointed to supply the vacancy thus occasioned.

W. H. Wooldridge.
Lieut: Colo. Commandant.

I have &c
David Holmes.

From the Governor,
To
Brigadier Genl. Clack one

Town of Washington, 17th July, 1812.

Sir,

I do myself the honor to inclose to you a copy of the general order, dated the 16th instant, by which you will see that I have merely designated the quantum and species of force to be raised, and the different corps from which it is to be taken. You are charged by the order with the execution of its details.

Your letter of the 15th instant upon the subject of the disorganized state of the 5th Regiment has been received, and its contents have been considered. Commissions are herewith transmitted to you for Ralph Ragan as Lieut: Colo. Commandant of the Regiment and Raymond Robertson and Peter A. Vanzandt as Majors. If Colo. Wooldridge has not resigned his commission you will not withstanding deliver to him the inclosed letter, which has been left open for your inspection only. If he shall have forwarded his resignation before you

have an opportunity of communicating with him you will return the letter to this office. You will of course direct the field officers of this Regiment to proceed without delay to recommend fit persons for company officers.

Brigr. Genl. F. L. Claiborne. I have &c., David Holmes.

From the Governor,
To
John G. Clarke

Town of Washington, 17th July, 1812,

Sir,

Your letter of the 11th instant was handed to me by Mr. Defrance. It gives me much satisfaction to hear that a volunteer company of infantry is about to be formed in Port Gibson. At present I have it not in my power to furnish arms for their use, but confidently expect to receive a quantity of arms for the use of the militia of the Territory within a very short period. When received such a distribution shall be made of them as circumstances may require. General Claiborne will be in Claiborne County in the course of the next week for the purpose of attending to the organization of the 5th Regiment. The recommendations for the offices of the volunteer company may be made through him, or through the Col. of the Regiment. On that part of your letter which relates to a company of regular troops I have to observe, that, should Port Gibson, or any other part of the Territory be in obvious danger of attack from either the British or the Indians, the most prompt and effectual aid that may be in my power to afford shall be given. At present I have no cause to believe that the Chactaw Indians are disposed to be unfriendly.

I have &c.,
J. G. Clarke esq. David Holmes.

From the Governor, ...
to
Brigadier Genl Wilkinson

Town of Washington, 22nd July 1

Dear Sir,

On my arrival at this place I received a letter from the Secretary at War stating that you were instructed to call upon me for detachments of militia whenever emergencies might arise requiring a greater force than the regular troops now under your command. In consequence of this communication, and that of the declaration of war against Great Britain by the constituted authorities of the nation, I have been making every exertion within my power to have the militia completely organized, and to have a detachment prepared for actual service. From the accurate knowledge you possess of this Country you must be well convinced that to draw from this Territory any considerable force might hazard our domestic safety; but I apprehend you, Sir, that it is my firm opinion that a spirit of patriotism pervades the body of our citizens, that will induce them cheerfully to afford their aid to carry on the war with vigor and effect. I am confident therefore that it will be in my power to furnish any number of men that you may deem it prudent to require. It is, however, to be regretted that the militia are almost entirely destitute of arms and ammunitions. This may render our situation truly deplorable, unless we can be furnished without delay, by the United States. Altho' I have no reason to believe that our neighbours, the Chickasaw Indians, are at present unfriendly; yet as they have the opportunity to obtain a knowledge of our defenceless State, that alone may tempt them to commit aggressions. Of the slaves, who compose so large a portion of our population, I entertain much stronger apprehensions. Scarcely

a day paper without my receiving some information relative to the designs of those people to insurrect. It is true that no clear or positive evidence of their intentions has been communicated, but certain facts and suspicions of their views have justly excited considerable alarm amongst the citizens. For my own part I am inclined to the belief that real danger exists, and that it is my duty to loose no time in procuring arms for the defence of the County. Persuaded am I that you are disposed to render any service to this County that may comport with your duty, I have confidently calculated upon your aid upon this occasion; and do therefore request that you will lend to the Territory six hundred muskets, with the accoutrements, one hundred rifles, and one hundred and fifty cavalry swords, five hundred weight of powder, and two thousand weight of lead. There is very little ammunition in the town for sale, otherwise I should not request it to be furnished. Shortly after General Hampton ordered the army to Baton Rouge he had all the arms removed both from this place and from Fort Adams; so that we are totally destitute of the means of making a defence against an attack from any quarter. I have charged Captain Bo Beckett to wait upon you with this letter. He takes his passage passage for Orleans in the Steam Boat, and will take charge of any arms you may think proper to order to be delivered to him in consequence of this request. If you should not deem it correct to comply wholly with my request, I hope you will do so in part, for I assure you, Sir, it is my firm belief that the safety of the citizens here may depend upon my procuring a sufficient number of arms to enable them to defend themselves against the dangers apprehended. Every possible care shall be taken to have the arms kept in good order, and the expences of transportation will be paid by me. Captain Beckett is an honorable and intelligent gentleman in whom the utmost confidence can be placed. I, therefore, with pleasure recommend him to your

notice. I offer to you with sincerity my cordial co-operation attainment of the objects of our government.

Brigadier Genl. Wilkinson. Yr. &c

David Holmes.

P.S. The steam boat affords a good opportunity of having the army ammunition forwarded to Natchez. D.H.

From the Governor,
To
Captain David Bachelor

Town of Washington, 22nd July. 1812.

Dear Sir,

I inclose to you a letter to General Wilkinson containing a request that he will furnish upon loan for the use of the Territory five hundred muskets, one hundred rifles, and one hundred and fifty cavalry swords, with a quantity of ammunition. You will proceed in this steam boat to Baton Rouge, and there enquire for the General. If he should not be at that post he will probably be at New Orleans, to which place you will immediately repair, and deliver to him the letter, receive his answer, and take charge of any arms that he may order to be delivered to you. If it shall happen (which is by no means probable) that General Wilkinson shall have left Orleans, or Baton Rouge, for some distant post you will request the senior officer of the army at Baton Rouge or Orleans (but I presume he will be at the former place) to open the letter to General Wilkinson, and you will solicit his compliance with the requisition. For his authority for so doing you will shew him this letter. The steam boat offers the most safe and speedy mode of having the arms conveyed to Natchez. but if from any cause that mode of conveyance should fail you will adopt such other means of having them transported as you may think proper, having a regard to economy, safety and expedition.

I wish you a pleasant journey, and complete success in the accomplishment of its object. Yr. &c David Holmes.

Capt. David Bachelor.

P.S. Majr. Freeman will deliver to you one hundred dollars. You will render an account of your expenditures. Your compensation will be adjusted when you return. D.H.

The Governors answer to an address and tender of services from the troops of cavalry commanded by Capt. Cooke.

Gentlemen,

Your tender of services at this eventful crisis is highly honorable to yourselves, and is the best evidence that can be afforded of your attachment to those rights which the Government of the United States have endeavoured, with the utmost sincerity, to maintain in peace by all honorable means. In this laudable intention, so accordant with the civil and political rights of a free people, they have been disappointed. Great Britain disregarding the immutable principles of justice, and calculating upon her power to destroy by force our commerce, and by her intrigues to divide our citizens, placed before the Government of the United States the alternatives of war or submission. The choice has been made, and it is honorable to our Government those to whom the important question was presented have faithfully performed their duty. It remains for their constituents to support them. That they will support their Government in this conflict no one can doubt who believes that the American people are attached to their constitution, and to those rights and privileges that it was intended to secure.

I reciprocate, Gentlemen, most cordially your expressions of respect, and accept your services with the entire confidence that when called upon to act as soldiers you will do honor to yourselves and render essential services to your Country.

David Holmes.

22nd July, 1812.

From the Governor
To
David Parnell.

Town of Washington, 23rd July, 1812.

Dear Sir,

I received your letter of this instant by your servant, and thank you for the attention you have shewn to the subject to which it relates. A negro of Mr. Haddens is now in jail upon suspicion of being concerned in a plan of insurrection. On tomorrow an examination of several Slaves from accord roads upon similar charges will

he had before judge Simpson. I will therefore thank you to send
on tomorrow the names who gave the information you have communi-
-nicated, and also the negro belonging to Mr. Foot. I have no doubt
his master will cheerfully assist in the development of this nefarious
scheme. If you cannot have the servants sent here on tomorrow, be pleased
to forward to me the names of the witnesses, and of those who may be
implicated, in order that legal process may issue to apprehend them.

I am &c;

Mr. David Parmell.

David Holmes.

Town of Washington, 26th July, 1812.

Address from the Governor
to the Company of exempts.

Gentlemen,

It was with much satisfaction that I re-
ceived the address and a copy of the proceedings of sundry persons, citizens
of the united States, residing in the City of Natchez and its neighbourhood,
who are exempted by law from militia duty, stating that they had formed
themselves into a company, and offering unconditionally their services
to the Government. Disinterested exertions of patriotism like this will
insure to the citizens of the United States a speedy and honorable termi-
-nation of the war that has been forced upon them by the arrogance,
outrage, and injustice of the enemy. As the effective power of a free Government
depends greatly upon the degree of confidence placed by the people in those
to whom they have committed the management of their public concerns,
it must be highly gratifying to every friend to his Country to witness the unanimous determination by the citizens of the United States to support
with energy the honorable course that their Government has been compelled
to adopt. Great Britain will be taught if it is not with a fruitless, and

and discontented people she has to contend, but the efforts of a brave, powerful, and united nation will be decided to the defence of those rights which she has attempted to destroy by the most dishonorable and wicked means. Permit me, Gentleman, through you to tender to the company my unfeigned thanks for their expressions of civility, and to inform them that I accept their services with the firmest conviction that their corps will do honor to themselves, and render great benefit to the community.

David Holmes.

From the Governor
to
John Shaw.....

Town of Washington, 27th July, 1812.

Sir,

This is to inform you that your commission as a Justice of the peace for Adams County has been revoked.

Mr. John Shaw.

Yr. obt.
David Holmes.

By David Holmes, Governor of the Mississippi Territory.

A Proclamation.

Whereas by an act of the Congress of the United States passed the 14th day of May in the year one thousand eight hundred and twelve, Entitled an act to enlarge the boundaries of the Mississippi Territory, there has been annexed to the said Territory all that track of country lying east of Pearl river, west of the Perdido, and South of the thirty first degree of North latitude: And Whereas, the same is declared by the act aforesaid to be a part of the said Territory, and to be governed by the laws thereof now in force, or such as may hereafter be enacted, and the laws and ordinances of the United States relative thereto, in like manner

as if the said track of Country had originally formed a part of the Territory. Now, Knowye, that by virtue of the powers me vested as Governor of the Mississippi Territory, and in order that the benefit of the laws and ordinances aforesaid may be extended to the people inhabiting the said track of Country, I do hereby erect the same into a County, and by these letters made patent do order and declare that the said County shall be called and known by the name of Mobile, and I do further declare that the laws of the Mississippi Territory and the ordinances and the acts of Congress relative thereto, are in force within the said County of Mobile, and that the inhabitants thereof are entitled to all and singular the jurisdictions, rights, privileges and immunities that respectively appertain to the Counties of the Mississippi Territory, and moreover I do invite and injoin the inhabitants of the said County, to be obedient to the laws, to maintain order, and to demean themselves as peaceable citizens

In testimony whereof, I have caused the seal of the Mississippi Territory, to be hereunto annexed, and signed the same with my hand. Done at the Town of Washington, the 1st day of August, A D. 1812, and in the 37th year of the independence of the United States of America.

David Holmes.

Dear Sir,

Washington, 5th August, 1812.

In the event of my determining to appoint field officers for the cavalry, I should be glad to know whether it is your wish to be promoted. Be pleased to let me hear from you by the first opportunity.

I am &c,

Capt. Hinds.

David Holmes.

From the Governor
to
Lt. Col. Nelson

Town of Washington, 3d August, 1812.

Sir,

I transmit to you communications enformable to your letter of the 1st inst., received by Mr. Lawrence.

I must request that you will give orders to the Captains of your Regiment to have patrole duty performed regularly and with vigilance.

Yours &c
David Holmes.

Lt. Colo. Nelson

From the Governor
to
Genl. James Wilkinson.

Town of Washington, 9th August, 1812.

Dear Sir,

Our friend Colo. Lawrence affords me an opportunity of acknowledging the receipt of your communications by Captain Beckett.

Shortly after the act declaring war reached this place I ordered a detachment of the militia from the District of the Mississippi to be held in readiness for actual service. These troops I will have encamped as soon as the arms, camp equipage &c. shall arrive. Altho' the force you require is greater than I had contemplated, yet I am confident that we will be able to furnish it without any difficulty the infantry and riflemen. We have but few troops of cavalry, and they are incomplete. It is probable that we may be able to bring into the field three troops of forty men each. Measures will be immediately taken to have organized the force that you require from the districts of Mobile. It is my intention to request Colo. Bowyer to accept of the command there with the rank of Major. He is an honest man and much esteemed among the people. I will thank you to let me know at what point you wish the detachment to rendezvous, as it

will be proper to encamp them immediately after the selection from the body of the militia is made. Your idea of employing a portion of the force within the Territory, and for the objects you state, is, in my opinion perfectly correct. Under present circumstances I do not think we would be safe in parting with so considerable a portion of our physical strength.

I am &c

Genl James Wilkinson

David Holmes

From the Governor
To
Lt Colo Hicks

Town of Washington, 10th August, 1812.

Sir,

I transmit to you three commissions, conformable to the recommendations contained in your letter of the 30th ultimo.

I mark request you to transmit to me a duty performed regularly, and with vigilance, through the Regiment. You will communicate to me, without delay, any circumstances that may occur indicating any disposition towards a disturbance.

I am &c

Lt Colo Hicks

David Holmes.

P S

A commission for E. Turner as Major was delivered to Genl Claiborne, which I suppose has forwarded.

D H

From the Governor
To
Colo John Hamer

Town of Washington 10th August, 1812.

Sir,

I received your letter of the 15th ult. by the last mail.

How is it that you have not received from your commissions that you had ordered Colo Carter to send out the men

who were intended only to act as a scouting party to guide of the regular troops as they Boring might order to be stationed on the frontiers. Upon perusing my letter to Col° Callaway you will not discover any authority from me for this movement. I, therefore, cannot see upon what grounds the men expect to be paid, more especially as I am entirely ignorant of the order Col° Callaway has given them. The last accounts from Col° Hawkins state that some of the Indians that committed the murders on the Natchez and Tennessee have been furnished by and their exertions are making to have all Indians who were concerned. In fact, from my information it appears that the danger to be apprehended from the Creeks is not as great now as it was when I first heard from you upon this subject. But, be that as it may, I ought to have been consulted (only that happened an actual invasion, or the occasion was extremely pressing) before any military movements was made. I have not refused to afford all the aid in the power for the protection of the frontier settlements, whenever the application has been properly made.

Col° John Hanes. Jam's C. David Holmes.

From the Governor
To
The Secretary of State.

Town of Washington, 11th August, 1812.

Sir,

I have the honor to transmit to you copies of three papers handed to me by General Adair, relating to a project that has been forming for some time past in the State of Louisiana and their Territory to engage men for the ostensible purpose of joining the revolutionists in New Spain. I have received no evidence that would justify any legal proceedings against persons suspected to be concerned in their enterprize. The few that have left this part of the

Country have croped the river at different points, in parties of from 4 to five, generally well equiped. From the best information that I have been able to obtain I am inclined to think that about eighty persons have left this Territory, with the intention of engaging in the enterprize. It is believed that General Adair will command the party, but his conduct and declarations evince a different determination. The character of this Gentleman for bold adventures, and his talents as a military man, are known to the Government. They can duly estimate his profession. His communications to me on this subject have been unsolicited, and he has positively stated that he would not engage in any unauthorized expedition. The papers were given to me by General Adair upon my opening him that their contents should not be made public.

I have &c
David Holmes.

Hon.ble James Monroe
Secy of State.

P S

The mail is just about to be closed — by the next mail I will write you more fully upon this subject.

DH.

From the Governor . . . .
To
General James Wilkinson } Town of Washington, 17th Augt, 1812.

Dear Sir,

It was my intention to have sent Captain Beckett to Baton Rouge for the purpose of taking charge of the arms and of seeing them carefully put on board the steam boat upon her return from New Orleans; but the death of this Gentleman, which happened on Saturday last, has deprived the public of the services of a man who possessed qualifications highly useful in times like the present. Believing that the duties can be performed by the Gentleman whom you intend to order to this place to act as a pa-

master, I have deemed it unnecessary to employ a special messenger. When the quarter master arrives with the army the militia shall be embodied. I am anxious to have them accomplished with as little delay as possible, as by removals from the Territory, and other changes, the force that was ordered to be held in readiness some time ago, will be diminishing until they are called into the field. If you can spare me a few more honorary words I shall be able to furnish three troops of well appointed cavalry. Your observations respecting the act of February the 6th. The prospect at present of engaging men under the regulations therein contained is not very promising, but I am in hopes that when the militia are embodied it will be in our power to induce some of them to accept of the offers of Government, which are certainly advantageous.

Genl James Wilkinson

James Jr.
David Holmes.

From the Governor ....
To
General James Wilkinson

Town of Washington, 23rd August, 1812.

Sir,

Your letter of the eleventh instant I have received.

General Clarke has consented to accept the command of the detachment from this Territory. He is to have the rank and emoluments of a Col.o of the militia.

It will not be in my power without creating great discontent to appoint Gentlemen to command in the detachment who do not hold commissions in the militia. Such a course would arouse the jealousy of every military officer in the Territory, and, in all probability, defeat the object we both have in view. You should be furnished with good men, who will be willing to perform their duty. In my last letter I stated to you that I should on double request Colo. Carson to take the command of the detachment, with the rank of Major, but the circumstance of his being a

member of the legislature council will render his presence in November indispensably necessary. General Claiborne requests to say to you that he will serve under you with great cheerfulness and satisfaction. Within a very short time after the arrival of the army we shall have at that place a force of five hundred men ready to march to any point where their services may be wanted.

Gen.l W. Wilkinson

I am &c.,

David Holmes.

From the Governor
To
Wm. Conner esq.

Town of Washington, 27th August, 1812.

Sir,

Your letters of the 24th and 25th inst. have been received.

The Courts of Justice and the civil Magistrates form the only tribunals capable of redressing the injuries you describe. Privates of militia, while performing patrol duty, are, like all other citizens, amenable to the laws, and are to be proceeded against for riotous conduct, drunkenness, and trespasses in the same manner as if they were not engaged in the service. Many complaints have been made to me from various parts of the County upon this subject, and I have uniformly advised that the offenders should be ~~punished~~ prosecuted. If any commissioned officer should so far forget what is due to his own respectability as to engage in acts of this kind, or to encourage it in others, he will be punished promptly by having his name stricken from the roll, and will also be liable to be prosecuted under the laws of the land.

Wm. Conner esq.
Adams County.

I am &c.,

David Holmes.

From the Governor
to
Capt: A. H. Holmes.

Town of Washington, 28th August, 1812.

Sir;

Your letter of the present instant inclosing an authority for you to act as deputy inspector I have received.

Orders will immediately be issued for a detachment from this, destined for the service of the United States, to rendezvous at this place. You will then have an opportunity of inspecting them.

I herewith return the authority unsigned as to myself. I have &c.

Capt: A. H. Holmes.

David Holmes.

General Orders.

Head Quarters. Town of Washington,
6th September, 1812.

Brigadier General Claiborne will, with as little delay as possible, have assembled at the cantonment, near Washington, the troops that were ordered to be held in readiness for actual service in pursuance of an order issued on the 16th day of July last, except those of the seventh regiment. He will direct the Colonels of the regiments to have made up by draft or voluntary offers of service any deficiency that may have happened by deaths, removals from the Territory, or other causes. The Brigadier will also order the respective Colonels of the first, second, third, fourth, fifth, tenth, eleventh, and thirteenth regiments to detach from proportions of the following force, to wit, one Captain, eleven Lieutenants, two Ensigns, six Sergeants, six Corporals, four Musicians, and one hundred and fifty eight privates. These additional Troops are to form a part of the detachment already detailed, and will march with them to the Cantonment, Washington.

When the quotas of the several Regiments are complete

they will rendezvous in the first instance at the following pla
is to say, those of the first regiment at the Town of Liberty. the
tachment from the second Regiment at Wilkinson Court House.
From the 3rd Regiment at the Town of Washington,
From the 4th Regiment at Greenville,
From the 5th Regiment at Port Gibson.
From the 10th Regiment at Warrenton
From the 11th Regiment at Franklin Court House
From the 13th Regiment at Marion Court House.

The troops will be furnished with provisions at these places to sustain them on their march to Washington, where they will be mustered and inspected.

Captain Pambeauf's company being incomplete as to the number of men, all the officers belonging to it cannot be ordered into service at present. The Captain alone will, therefore, be ordered to march with his company. If by voluntary enlistment the company should become full before they leave cantonment Washington the subalterns will then be ordered to join it.

The troops that formerly belonged to the Company of the late Captain Becket will be placed under the command of such officer as the Brigadier may order to take charge of them.

Brigadier General Claiborne is ordered into service. He will receive the emoluments, and be entitled to the rank of Col.o of the militia.

David Holmes.
Com.r in chief mil. Mis. Territory.

From the Governor
to
Brigadier General Claiborne

Town of Washington, 6th September, 1812.

Sir,

I have the honor to inclose to you a general order of this day for the assembling of a detachment of the militia at cantonment, Washington. You will observe that the troops detailed from the respective regiments are to be furnished at the places where they are

ordered to rendezvous with as much provision as will sustain them on their march to Washington. You will, therefore, charge each commander of the detachment with their duty, and inform them that the extent of the allowance for rations is not to exceed the contract price of the United States for furnishing rations at the cantonment, Washington.

You will ascertain, and inform the commanders of detachments, what that price is. The expence of transportation of baggage, I suppose, will be very inconsiderable. A competent allowance, however, will be made for this object. You will instruct the officer commanding detachments to observe economy, and to take triplicate vouchers for every expenditure. When they arrive at Washington their accounts will be settled and paid. If an advance of money should be absolutely requisite it will be made by Mr. H. Daringfield.

I have &c.,

Brigadier General Claiborne. David Holmes.

P.S.

I shall be glad to see you tomorrow before you issue your orders.

D.H.

General Orders. Head Quarters, Town of Washington, September 7th, 1812.

Brigadier General Claiborne will order Lieutenant Colo Wood of the 3rd Regiment and Major Raymond Robinson of the 5th Regiment to serve on the detachment that is to rendezvous at the Cantonment, Washington.

David Holmes,
Comr in chief mil. Msp. Territory.

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From the Governor ... &c
to
Genl James Wilkinson

Town of Washington, 7th Sept: 1812.

Dear Sir,

Your letter of the 25th ult: I received by the last mail. It would give me great pleasure to meet you at the Pass of Christian, but the pressp of business here will not permit me, I fear, to leave this place for some time. I have ordered all the troops which you have required from the district of Mississippi, except those of the cavalry, to rendezvous immediately at the cantonment, Washington. In fifteen or twenty days we shall be able to furnish you with a respectable addition to your present force, provided the ammunition in time. The cavalry will be held in readiness to march at the shortest notice. I shall not assemble them until I hear from you.

I have erected the whole of that tract of country lying south of the 31st degree of north latitude, east of Pearl river, and west of the Perdido, into a County by the name of Mobile. Civil and military commissions were forwarded to Judge Toulmin, with a request that he would have them distributed. Since then I have not heard from that part of the Territory. Governor Claiborne informed me some time ago that the lower Chactaw indians shewed a disposition to be troublesome to the inhabitants on Pascagoula and Beloxi, and a representation was made to me in June last by a number of citizens residing upon the Tombigbee, stating that they were in great danger from the Creeks. This induced me to call upon Major Bowyer for military aid. I suppose he has furnished you with a copy of my letter to him upon this subject. I have no certain means of obtaining information even from Fort Stoddert. The mail is so very irregular that we cannot rely upon it as a safe conveyance for letters within a reasonable time. If you possess any information which induces you to think that the inhabitants east of Mobile bay are in danger of

being molested by an enemy, I request that you will furnish a military force to protect them. Your voluntary offer to perform this service is very pleasing to me, and I trust will be gratefully recollected by those whom it is intended to serve. I shall take upon myself the command of the detachment that is to assemble at this place. After they are organized into companies &c., it is possible that I may have time before the meeting of the legislature to make a hasty journey to Mobile; where I shall be very happy to meet with you.

We have not time at present to copy your letter. By the next mail it shall be forwarded, when you shall hear from me more fully.

I am &c.

Genl. Jas. Wilkinson. David Holmes.

General Orders. Head Quarters, Town of Washington, 8th Sept. 1812.

The independent company of exempts are ordered to perform patrol duty under the orders and instructions of the commander.

David Holmes.

Comr in chief of the Mil: Misp. Territy.

From the Governor ... Town of Washington, 9th Sept., 1812.
To
Captain A. H. Holmes.

Dear Sir,

I inclose to you an order upon James Kempe esq for the tents, camp equipage, and arms belonging to the United States, left in the charge of the late Captain Beckett.

You will herewith receive a copy of the general orders issued on the 6th instant.

Capt: A. H. Holmes. I am &c. David Holmes.

From the Governor
To
James Kempe esqr.

Town of Washington, 9th September, 1812.

Sir,

Be pleased to deliver to Captain A. H. Holmes of the United States army all the tents, camp equipage, and arms that were left in charge of the late Captain David Bullock.

I am &c

James Kempe esqr.

David Holmes.

From the Governor
To
Doctor Ker

Town of Washington, 9th September, 1812.

Sir,

Your letter of this day with the enclosures stated therein I have received.

I herewith transmit to you a commission of surgeon of the fourth regiment.

I have &c

Doctr Ker.

David Holmes.

From the Governor
To
Genl James Wilkinson

Town of Washington, 14th Sept., 1812

Dear Sir,

I inclose to you, herewith agreeably to your request, a copy of your letter of the 25th ultimo.

The whole of the detachment of Militia will be ready to march from this place in fifteen days, and a considerable portion of it in less than ten days, provided we receive arms and camp equipage. We have no camp kettles. I shall have to purchase them, unless I receive them by the steam boat.

I am &c

Majr Genl Wilkinson.

David Holmes.

From the Governor
to
Lt. Colo. Regan.

Town of Washington, 15th Sept. 1812

Sir,

I transmit to you a commission for Stephen Sutton conformably to your recommendation. Major Robinson received on yesterday a commission of Lieutenant with the name blank, which you will fill up with the name of the Gentleman you have recommended for that appointment.

I am, Sir, with high respect,

Yr. obt. Servt.

David Holmes.

Lt. Colo. Regan.

Sir,

Head Quarters, Town of Washington,
16th Sept. 1812

You are hereby required to be prepared to march from this day until the 25th day of the present month, at the Cantonment Washington, three hundred rations per day, for the troops of militia that will be appointed there pursuant to orders heretofore issued. You will furnish salted meat three days in the week until further order.

Yr. &c.

David Holmes.
Commander in chief Militia Miss. Ter.
Commanding at Cantonment Washington

Mr. Cowan.
Agent to the Contractor
for furnishing the troops
of the U. S. at Cantonment
Washington.

By David Holmes, Governor of the Mississippi Territory

A Proclamation.

Whereas by a proclamation speed by me on the first day of August last I did, by virtue of the powers in me vested, erect into a County to be known by the name of Mobile all that track of County lying east of Real river, west of the Perdido, and South of the thirty first degree of North latitude. Which said track of County was annexed to the Mississippi Territory by an act of the Congress of the United States, passed on the 11th day of May, in the year of our Lord 1812, intitled an act to enlarge the boundaries of the Mississippi Territory. And Whereas by the aforesaid act of Congress the inhabitants of said County of Mobile are entitled to one representative in the General Assembly of said Territory. Now Know ye, that I do hereby authorize and empower the Sheriff of the said County of Mobile, to convene the freeholders of the same, on the third monday in October next, at such places or places as he may deem most convenient for the said freeholders, of which he is to give public notice, for the purpose of electing one fit person, qualified as the ordinance directs, to represent them in the General assembly of this Territory. And I do further empower and direct the said Sheriff to cause to be appointed suitable persons to superintend the said election as Managers. And moreover I do order that said election be conducted in all things according to the laws of the Mississippi Territory, in like manner as if the said County had originally formed a part of the said Territory.

In testimony whereof, I have caused the seal of the Mississippi Territory to be hereunto annexed, and signed the same with my hand at the Town of Washington, the 17th day of Sept. A. D. 1812, and in the 37th year of the independence of the United States of America.

L S

David Holmes.

Head Quarters, Cantonment Washington

18th Sept., 1812.

General Orders.

Captain A. H. Holmes will deliver to Captains Engle and Hall of the detachment of the Militia as many tents as will be sufficient to furnish the non commissioned officers and privates of the militia, allowing one tent for six men. He will also issue to Genl Claiborne for his own use two tents of the quality that he may choose. To Colo Wood he will issue one horseman's tent. To each of the Captains one horseman's tent for their own use, and one for the use of three subalterns.

David Holmes.
Commanding Cantonment
Washington.

From the Governor,
to
Capt. A. H. Holmes.

Town of Washington, 19th September, 1812

Sir,

I have this moment received information that the steam boat has arrived at Natchez, with arms and camp equipage for the use of the militia. You will, therefore, conformably with your instructions, take charge of the public property, and have it brought to the Cantonment Washington.

I have &c

David Holmes.
Comm.g Cantonment, Washington.

Capt. A. H. Holmes.

From the Governor
to
Capt. A. H. Holmes.

Town of Washington, 19th September, 1812.

Sir,

Mr. Robert Anderson is appointed assistant Quarter master by General Wilkinson. He will, therefore, be necessary for you to proceed to Natchez upon the business stated in my letter of this day.

I have &c David Holmes.

Capt. A. H. Holmes.

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Head Quarters, Cantonment Washington
19th September, 1812

Sir,

I inclose to you a letter from General Wilkinson containing instructions for the regulation of your conduct as aid and deputy Quarter master.

You will immediately proceed to stack and take charge of the public property forwarded by the steam boat for the use of the detachment of militia now assembling at this post. You will inform the Capt. of the boat that his account for freight will be paid on tomorrow morning.

Mr. Robt. Andrews,
a. dep. Q. M.

I have &c.
David Holmes.
Comm'g at Cantonment Washington.

Head Quarters, Town of Washington,
General Orders. 20th September, 1812.

Brigadier General Cadwalader is hereby authorized to receive substitutes for privates that have been mustered, provided they are offered before ten O'Clock on tuesday morning next. After that time no substitutes will be received.

David Holmes,
Commanding at Cantonment
Washington.

From the Governor,
to
Robert Andrews.
Ap: Dep'y Quarter Master

Town of Washington, 21st Sept., 1812.

Sir,

Deliver to Captains Hall, Shanks, and Engle each twenty Stands of arms, with the accoutrements for the use of their companies. You will also deliver to Captain Painbacf ten stands of arms &c. Take duplicate receipts from the Captains for the property.

Robt Andrews.
A. D. Q. M.

David Holmes.
Commander in chief.

From the Governor,
to
Lt. Savage.
Qr. Master to the Detach.d
of Militia.

Head Quarters, Town of Washington.
21st. September, 1812.

Sir,

You are hereby authorized to purchase the following articles, to wit, fifteen blankets for the use of the troops who are sick and without blankets of their own.

Thirty dollars worth of medicine, to be purchased under the directions of Surgeon Cox.

Two quires of large paper for the use of the Adjutant.

Two stock locks for the use of the public store houses.

David Holmes.
Comm.r in chief.

Lieut. Savage.
Quarter Master.

From the Governor
to
Capt. A. H. Holmes.

Town of Washington, 21st Sept. 1812.

Sir,

Deliver to Captain Hill, Pambam, Engle, and Shanks (of the detachment of the militia) each thirty canteens for the use of their companies.

David Holmes.
Comm.r in chief of the Militia.

Capt. A. H. Holmes.

From the Governor
to
Capt. Dornan.

Town of Washington, 21st September, 1812.

Sir,

I received your letter of this date by Mr. Robb— It is my opinion that persons who have furnished substitutes in the detachment of militia ordered into actual service are not exempted from performing militia duty at home— It is not in my power to furnish your company with arms.

I have &c.
David Holmes.

Capt. Dornan.

From the Governor
to
Silas Dinsmoor
Chactaw Agent

Town of Washington, 21st September, 1812

Dear Sir,

Your letter of the 11th inst: I received on Friday last. Early in the last month I received a letter from Governor Claiborne, stating that the inhabitants on Pascagoula, and Pearl river, within this Territory, and the citizens of the parish of St Tammany within his own State, were exposed to considerable danger from the hostile disposition manifested by the Chactaws of the six towns — that he was induced to send Simon Favre, a man whom he represents entitled to confidence, to ascertain the disposition of the indians. Of this measure Governor Claiborne informed me, and I was inclined to think that the course might be attended with beneficial effects.

When you were here last it was my intention to have communicated with you fully upon this subject. I recollect commencing a conversation respecting the conduct of the lower Chactaws, which by some means was interrupted before I stated all the information that I possessed.

I regret that Mr. Favre should have been subjected to any personal inconvenience, and request that you will release him upon the receipt of this letter, provided you know no other cause for detaining him except that of his having complied with Governor Claiborne's request.

Mr. Silas Dinsmoor,
Chactaw Agent.

W. C.

David Holmes.

From the Governor
to
Capt: A. H. Holmes

Town of Washington, 23rd Sept. 1812.

Sir,

You will not attempt to enlist a man belonging to the detachment of militia encamped at Cantonment Washington until you receive my permission for so doing.

Yr &c

David Holmes.
Commander in chief.

The letter from General Winchester to you is herewith returned.

D. H.

Duplicate

Head Quarter, Town of Washington,
23rd Sept. 1812.

General Orders.

Brigadier General Claiborne, commanding the detachment of militia near the Cantonment Washington, will deliver to Captain Holmes for the use of his detachment the town, from the centre to the extreme right, at five O'Clock this evening.

Captain Holmes will be considered as commanding the united States military post. He is to occupy the ground five feet upon the west side from the line of barracks, and to have the use of the street to the left. The detachment of militia will occupy the remainder of public ground. General Claiborne will arrange his encampment accordingly, and consider his troops as stationed near the Cantonment Washington.

David Holmes.
Commander in chief.

From the Governor
to
Theodore Brightwell.
Sheriff of Mobile County.

Town of Washington, 26th September, 1812

Dear Sir,

I forwarded to you through Judge Toulmin early in the last month a commission as Sheriff of the County of Mobile; at the same time I transmitted to him commissions for sundry persons as Justices of the quorum and of the peace, and the proclamation erecting Mobile County. The Judge acknowledged the receipt of these papers, but I have not had the satisfaction to hear from you.

The tardy and uncertain conveyance which the mail affords from this place to your part of Territory, compels me at this time to employ a special messenger to carry my orders and communications.

By the act of Congress annexing that track of County now comprehended under the name of Mobile County, to this Territory, the inhabitants are entitled to one representative in the general assembly. The mode that I have adopted to carry into effect this intention of the act you will see by the proclamation that Mr. G. Glasburn, the bearer hereof, will deliver to you. I have been obliged to alter the day of election from the third monday in October next to the fourth in consequence of my having been disappointed in procuring a messenger. You will see the alteration on the face of the proclamation. This circumstance will probably prevent the member who may be elected from arriving at the seat of Government until a few days after the return may have elapsed, but this is not of as much importance at this time it will afford you to give notice to the people. I presume

from a view of the map of the County that there should be at least three places of election, one on Pascagoula, one on Pearl river, and one on the Bay of Biloxi — of this, however, you are to be the judge.

In your notice, which you can affix to, or write at the bottom of the proclamation, you must mention the houses where each is to be held. You will not have one time to spare before the time of election, than will enable you to give notice; I must, therefore, request you to engage in the business immediately upon the receipt of this letter. As soon as you receive the result of the election, make out your return, and give the successful candidate notice of his election. The election law of 1808 will be your guide, as far as it is applicable to this new case. It is not within my authority under the act of Congress to organise completely the County without the act of the Legislature. A list of the officers already appointed is enclosed for your information.

I shall be glad to hear from you by the return of the messenger. Any information respecting our new County which you may deem useful will be very acceptable.

I am &c

David Holmes.

Genl. Theodore Brevitwell.
Sheriff Mobile County.

P.S. The officers for the County of Mobile are not to exercise authority within the following district — including the town and fort of Mobile, bounded by Dog River (that branch of it which is called Bayou Maurice) by a line direct from thence to the Bayou St. Louis, lately called three mile creek, and by the said Bayou & Mobile. This information you will be pleased to communicate.

D. H

Head Quarters, Town of Washington,

From the Governor
to
Mr. Cowan, Agent
to the Contractor for furnishing the Troops of the United States at Cantonment Washington.

Sir,

You are hereby required to be prepared to issue from this day exclusive, until the 10th day of October next at the Cantonment Washington, six hundred rations per day for the Troops of Militia that are hereafter to be assembled. Three pursuant orders heretofore issued. You will furnish salted Meat three days in the Week until further orders.

David Holmes
Commander in Chief

Mr. Cowan, Agent &c.

General Orders

Head Quarters, Town of Washington
27th September 1814

The Commander in Chief orders that the following details be made from the 6th, 8th, 9th, 12th and 14th Regiments, that is to say,

From the 6th Regiment, one Major, two Captains, two Lieutenants, one Ensign, four Sergeants, four Corporals, four Musicians and one hundred and twenty privates.

From the 8th Regiment, one Captain, one Lieutenant one Ensign, three Sergeants, three Corporals, one Musician, and thirty four privates.

From the 9th Regiment, two Lieutenants, one Ensign three Sergeants, three Corporals, one Musician, and thirty privates.

From the 12th Regiment, one Captain, two Lieutenants four Sergeants, four Corporals, two Musicians, and forty privates.

from the 14th Regiment, one Lieutenant, one Ensign, two Sergeants, two Corporals, and Thirty two privates.

The Commander of the Corps of Cavalry in the 6th Regiment will have his Troop prepared and in readiness to take the field when ordered.

The Troops thus ordered to be detailed are to hold themselves in readiness to march at the shortest notice. They will be raised either by Draft or by voluntary offers of service. The glorious cause in which the United States are engaged is a sure pledge to the Commander in Chief that it will not be necessary to resort to the former mode. Upon the successful issue of this War with Great Britian rights dehard too dear to Americans to be surrendered upon any conditions that the haughty and perfidious foe can offer.

David Holmes
Commander in Chief

An order from the Governor ... }
to } 23rd September, 1812.
Brigadier General Claiborne }

Brigadier General Claiborne, commanding the detachment of militia near the Cantonment Washington, will deliver to Captain Holmes for the use of his detachment the houses from the center to the extreme right, at five O'Clock this evening. Captain Holmes will be considered as commanding the United States Military Post. He is to occupy the ground five feet upon the west side from the line of barracks, and to have the use of the street to the left. The detachment of militia will occupy the remainder of the public ground. General Claiborne will arrange his camp accordingly, and consider his troops as stationed near Cantonment Washington.

David Holmes.
Commander in Chief

(duplicate)

From the Governor,
To
Mr. Cowan, agent to
the contractor for furnishing
the troops of the Mt Albanton
ment Washington

Head Quarters, Town of Washington,
26th September, 1812.

Sir,

You are hereby required to be prepared to issue from this day inclusive until the 10th day of October next, at the Cantonment Washington, six hundred rations per day, for the troops of militia that are and will be assembled there, per warrant to order heretofore issued. You will furnished salted meat three days in the week until further orders.

David Holmes,
Commander in chief

Mr. Cowan, agent &c.

Head Quarters, Town of Washington,
27th Sept. 1812.

General Orders.

The Commander in chief orders that the following details be made from the 6th, 8th, 9th, 12th, and 14th Regiments, that is to say,

From the 6th Regiment one Major, two Captains, two Lieutenants, one Ensign, four Sergeants, four Corporals, four musicians, and one hundred and twenty privates.

From the 8th Regiment one Captain, one Lieutenant, one Ensign, three Sergeants, three Corporals, one musician, and thirty four privates.

From the 9th Regiment two Lieutenants, one Ensign, three Sergeants, three Corporals, one musician, and thirty privates.

From the 12th Regiment one Captain, two Lieutenants, four Sergeants four Corporals, two musicians, and forty privates.

From the 14th Regiment one Lieutenant, one Ensign, two Sergeants, two Corporals, and thirty two privates.

The Commander of the Corps of Cavalry in the 6th Regiment will have his troops prepared and in readiness to take the field when ordered.

The troops thus ordered to be detached are to hold themselves in readiness to march at the shortest notice. They will be raised either by draft, or by voluntary offers of service. The glorious cause in which the United States are engaged is a sure pledge to the Commander in chief that it will not be necessary to resort to the former mode. Upon the successful issue of the war with great Britain rights too dear to Americans to be surrendered upon any conditions that the haughty and perfidious foe can offer.

David Holmes,
Commander in chief

From the Governor
To
Col.o Callaco ....

Town of Washington, 27.th Sept.r 1812

Sir,

The tardy and uncertain conveyance which the mail affords to your quarter of the Territory, compels me on the present important occasion to employ a special messenger. You will, therefore, receive this letter by Mr. Claiborne, who will inform you that he has communications for other gentlemen, and will probably wish to make some enquiries respecting their places of residence &c. I will thank you to aid him with whatever information he may require.

By my letter of the 23.rd of June last you were ordered to have held in readiness for actual service from the 6.th, 8.th, 9.th, and 12.th Regiments three hundred and sixty privates, with the competent number of commissioned, and non commissioned officers. By reference to the letter you will see that this order was given upon a special representation of existing danger to the Frontier Inhabitants. A new arrangement is now required. We are called upon for our proportion of national defence, and I entertain no doubt but that it will

be furnished with cheerfulness. In this part of the Territory no just cause of complaint. The quotas of most of the were made up by voluntary offers of service; and I feel confident that the citizens of Tombigbee and Mobile will not be backward patriotic. The detachments that were ordered to be held in readiness by the order of the 23rd June may be discharged from that service, and the details conformably to the enclosed order should be immediately made. I expect the troops will be called into service in the course of the next month. You will detail Major William McGrew for service.

Yrs &c
David Holmes

Col. Caller
of the 6th Regiment

From the Governor
To
Henry Toulmin esq.
Sir,

Town of Washington 28th Sept. 1812.

Your letter of the 31st of August I received by the last mail. The tardy and uncertain conveyance which the mail affords from this place to your quarter of the Territory, compels me at this time to employ a special messenger to convey my public despatches. I have been called upon to furnish a quota of militia from the Regiments on Tombigbee and Mobile, and expect that they will be ordered to assemble in the course of the next month at Fort Stoddert.

The act of Congress annexing the County now called Mobile County to this Territory is so very defective that I find it impossible, consistent with my authority, to extend to the inhabitants the full benefit of the laws without the aid of the Territorial legislature. I do not think that I can legally authorize a Court to be held by the County Justices,

as all the places for holding Courts in the Territory are designated by law. The Judges of the supreme Court can order special Courts for the trial of criminals without the aid of the Governor. Whether you can exercise this power in the new County I submit to your good judgment.

I do not feel myself authorized (as yet) to exercise authority in any part of the Country but that to which Governor Claiborne has extended the laws and authority of his Territory. I hope, however, that this state of things will not continue very long. Your observations upon the subject are just. I shall not fail to lay them before the Government, where I am confident they will have considerable weight. In order that you may comprehend how far I think myself justifiable in exercising authority within the County of Mobile at present, I enclose you an extract of a letter from Governor Claiborne to me dated the 27th July. Do not understand me by this as wishing to controul your judicial opinions. The commission of Mr. Darling, who you say was recommended for the office of Justice of the peace, I omitted to forward through mistake if the letter ever came to hand. I am confident he was not intentionally neglected.

I send you commissions for Mr. Blakely as notary public, Mr. Charles Campbell clerk of the superior Court, and for several other persons. The bearer of them will have to go to Mr. Breckenridge's; and probably will be able to deliver some of the commissions on the way.

We have a Regiment of the British encamped at the Cantonment near this place; this circumstance has greatly encreased my duties. Excuse the hasty manner in which this letter is written.

I am &c,

David Holmes.

Judge Toulmin

From the Governor,
To
Lt Colo John Hanes.
Aid de camp to the
commander in chief.

Town of Washington, 28th Sept. 1812

Sir,

I have the honor to enclose to you a copy of two general orders issued this day, which you will direct the Brigade Major to copy for the use of the commanders of the regiments. Lenon Orsa is the Colo of the 14th Regiment.

I have &c,

David Holmes.

Lt Colo John Hanes.

From the Governor,
To
Colo Curson

Town of Washington, 28th Sept. 1812.

Dr Sir,

The laudable anxiety which you have shewn to engage actively in the service of your Country at this momentous crisis, does you much credit, and I most sincerely lament that it is not in my power to avail myself of your capacity and integrity which, at this time, would be extremely useful to me in the military department. You must be sensible how important it is to the interest of the Territory that the legislature should meet punctually on the day appointed by law. The branch to which you belong consists of so few members that the absence of any one would hazard the meeting of the legislature until new members of the Council could be elected, and presented to the President of the United States. But four of the Council are now in com-

=mission. It requires three to make a house. If you were absent it is more than probable that from indisposition, and other causes the legislature would not be able to act for some months. The circumstances above I apprise you, Sir, induces me to request that you will attend at the seat of Government in your capacity of legisla=tor. Col. Gyrow, who is appointed to command the detach=ment, I am aware is a member of the House of Representatives, but his absence will not be so important, as that branch is sufficiently numerous. After the assembly adjourns I expect it will be in my power to place you in some active military employment, and I declare there is not a man in the Territory in whom I would more cheerfully confide.

I am &c.

Col. Carson. — David Holmes.

From the Governor,
To
The Secretary of War.

Town of Washington, 29th Sept. 1812.

Sir,

I have this day drawn upon you in favour of James Kirkhead of Natchez, for one thousand dollars, in three seperate bills, one for five hundred dollars, one for three hundred dollars, and one for two hundred dollars. For each sum there are two bills, first and second, drawn at ten days sight.

This money I have advanced to Benjamin Salvage Quarter Master to the detachment of militia ordered from this Territory, to enable him to meet the demands for furnishing the militia on their march to cantonment Washington, and for supplying them with such articles of equipment as were indispen=sably necessary. His accounts shall be forwarded in a few days.

I am &c.

Hon. W. Eustis, — David Holmes.
Secretary of War.

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From the Governor ..
To
The Secretary at War.

Town of Washington, 29th Sept. 1811

Sir,

In consequence of a requisition made by Genl Wilkinson for an auxiliary force from this Territory, I issued general orders, on the sixth of this month, directing the infantry and riflemen required from the district of the Mississippi to be prepared and assembled without delay at the Cantonment Washington. The order has been executed with promptitude, and that part of the requisition is nearly complete.

In discharging this duty I have been compelled to make advances of money, for which I shall draw upon the war department. The principle disbursements have been for subsisting the troops upon their march from the respective places of rendezvous to the Cantonment; for camp equipage, many of the troops having arrived before I was furnished with articles that were indispensable; and a small sum for medical and hospital stores. About two hundred of the men now in camp are without blankets, and many of them without shoes. They will cheerfully receive these articles, and consent that the amount shall be deducted from their pay. Upon this condition I shall be obliged to furnish them. You may rest assured, Sir, that I will avoid any expenditure of money that is not absolutely and essentially requisite.

I have &c

David Holmes.

Hon'ble W. Eustis
Secy at War ..

From the Governor.
To
Robert Andrews esq.
Ap.t deputy Quarter Master.

Town of Washington, 30.th Sept.r 1812.

Sir,

Of the whole number of militia now encamped at the Cantonment Washington, I am informed by General Adams that two hundred and fifty are without blankets. Will you say whether you are authorized to procure them? If you are not I must authorize Lt. Benjamin Salvage, the Quarter Master of the detachments, to procure them.

Robt. Andrews esq.
ap.t dep.y Q. M.

I have &c.
David Holmes.

From the Governor.
To
General Wilkinson. 3

Town of Washington, 6.th October, 1812.

Dear Sir,

Your letter of the 21.st September I received by the mail. Eight days ago I dispatched a messenger to Fort Stoddert with orders to have the detachment in that quarter held in readiness for immediate service. They will be ordered to any place that you may designate. We have at the Cantonment near this place six hundred very fine looking men. They are formed into two Battalions. In the course of a few days our number will be near seven hundred. Many of the arms that you forwarded by the steam boat are entirely unfit for use. I shall have them repaired in camp. I must ask you, Sir, to forward at least three hundred more by the first opportunity. The troops understand that they are to serve six months. I shall endeavour to have the detachment in the best possible condition for actual service. I expected that it would have been in our power to have furnished two companies of volunteers under the act

of the sixths of February, but in this I have been disappointed could not be accomplished without creating great irritation and discontent among the militia officers, who were ordered into service. One company I am inclined to think will be raised.

I have &c,

Genl James Wilkinson. David Holmes.

From the Governor
To
Governor Claiborne

Town of Washington, 6th October, 1812.

Dr Sir,

Upon the return of your brother Doct Claiborne from New Orleans he handed to me your letter respecting Mr Faure's arrest. When I first understood that this gentleman was in danger of sustaining personal inconvenience in consequence of the measure which he undertook at your instance, I wrote to Mr Dunmoor, the Choctaw agent, on the subject a copy of the letter is herewith transmitted. Unfortunately this communication did not reach Mr Dunmoor, and Mr Faure on Thursday last arrived with him at this place.

While I regret extremely that this worthy man has been incommoded when acting a part which, I am convinced, he thoroughly believed would prove beneficial to this Country, I can assure you that Mr Dunmoor was not governed in his conduct in the least degree by personal disrespect towards yourself, but that he acted entirely upon the ground of official duty.

Mr Faure accepts a commission of the peace under this Government, and altho' he regretted being absent for so long a time from his family, he appeared satisfied with the attention that was shewn to him.

I am &c

His Excellency
W. C. C. Claiborne.

David Holmes.

From the Governor,
To Silas Dinsmoor esq. Town of Washington, 6th October, 1812.

Sir,

Mr. William Doak wishes to occupy the stand No. 2 in the Chactaw nation, as a house of entertainment. He has produced to me satisfactory evidence of his character and qualifications. I therefore recommend him to you as a fit person to be permitted to occupy the said stand.

Yr. &c.

Silas Dinsmoor esq,
Agent to the Chactaws.

David Holmes.

From the Governor
To
Brigadier Genl. Claiborne.

Head Quarters, Town of Washington
6th October, 1812.

Sir,

I have the honor to enclose to you a copy of the opinion of the attorney general upon the subject of your letter of the 1st instant. He is positive that the power exists to compel obedience to the order of the 6th of September last, for assembling the detachment of militia at Cantonment Washington. The same opinion is entertained by other gentlemen learned in the law whom I have consulted. You will, therefore, proceed to compel the attendance of the drafted men. The officer selected to perform this duty should use as much discretion and moderation. He is not to permit the men under his command to insult the person whom they may be about to apprehend, or to use towards him any personal violence except that which is absolutely necessary to compel their attendance. In executing this duty the officer will in no event fire upon a person resisting the order, or suffer any act that may hazard the life of such person, unless the detachment should be assailed in a manner that made self defence necessary to their own preservation. No person is to be arrested who has not received legal notice of his having been

drafted, and ordered to repair to the place of rendezvous.

I have &c.

Brigadier Genl Claiborne.

David Holmes.

Commander in chief

From the Governor
To
The Secretary at War

Town of Washington, Mi T, 7th October 1812.

Sir,

I have this day drawn a bill upon you in favour of David Berry for seventy five dollars, being the amount of his salary as interpriter to the Chactaw Indians for the quarter due upon the first day of the present month.

I have &c.

Hon. Wm. Eustis
Secretary at War.

David Holmes.

From the Governor,
to
Capt. R. Jones.

Town of Washington, 9th October, 1812.

Sir,

In answer to your letter by James Smith I have to observe that the property of a soldier of the militia in the service of the United States is not exonerated from legal process; but, in my opinion, it cannot be attached upon the principle of his having absconded. The remedy of the soldier for this injury is through the civil authority.

I have &c,

Capt. R. Jones.

David Holmes.

From the Governor
to
Lt. Colo Wood ...

Town of Washington, 10th October, 1812.

Sir,

I have been informed by Judge Simpson that a certain Cole, who was drafted from Capt. Hill's company, has applied to the Judge for a legal enquiry as to the right that exists under the law to hold him in the service. His ground for the application is that he is not a resident of the Territory.

The investigation will take place this evening at four o'clock. You will, therefore, request Captain Hill, and any other officers or soldiers who it may be supposed can give information upon the subject, to wait upon the Judge at that hour.

I have &c

Lt. Colo Wood.

David Holmes.

Head Quarters, Town of Washington, 12th Octo, 1812.

General Orders.

A general Court martial to consist of thirteen members will convene at the house of Wheeler and Clarke in the Town of Washington, on monday, the 19th day of the present month, at eleven o'Clock, for the trial of Major Samuel Montgomery of the third Regiment

Lieutenant Colo Wood, of the 3rd Regiment, President
Lieutenant Colo Carradine of the 4th Regiment
Major Goff of the 3rd Regiment
Major Fleming of the 3rd Regiment
Major Moore of the 5th Regiment
Captain Hill of the 3rd Regiment
Captain Jones of the 2nd Regiment
Captain Cook of the Cavalry
Captain Wilkinson of the 3rd Regiment
Captain Elliott of the 5th Regiment
Captain Shanks of the 4th Regiment
Captain Winn of the 3rd Regiment
Captain Rowe of the Cavalry
Captain Brannan Judge advocate.

David Holmes.
Comr in chief of the Militia of the Miss. Territory.

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From the Governor,
To
General Claiborne

Town of Washington, 14th October, 1812.

Sir,

I have the honor to inclose to you a copy of a general order issued this day. Lt. Salvage has my instructions to purchase flour if it can be had in the country. The troops shall be provided for with every article that the contractor is bound to furnish if money can procure them — of this they may be assured.

Brigadier Genl. Claiborne

Yr. &c.
David Holmes.

Head Quarters, Town of Washington,
General Orders. 14th October, 1812.

The agent for the contractor to furnish the troops of the United States within this Territory ~~with~~ rations, having notified me that it is not in his power to furnish the troops near Cantonment Washington with provisions, having no funds in his hands to make the requisite purchases: It is therefore ordered that Lieutenant B. F. Salvage, Quarter Master to the detachment of militia, purchase the several articles of which the ration is composed, and cause the same issued to the troops regularly. If flour cannot be procured he will issue the proportionate quantity of corn meal. He is authorized to employ such assistants as may be necessary to enable him to discharge the duty thus assigned. In every instance he will take triplicate receipts from the persons of whom purchases may be made. Three days provision for the corps must be always on hand.

David Holmes.
Commander in chief.

From the Governor,
To
General Claiborne

Town of Washington, 15th October, 1812.

Sir,

I have had the honor to receive your letter of this inst. the request which it contains shall be attended to. I will see you this evening when a day for holding the Court can be determined upon that will suit your convenience.

Brigadier Gnl. Claiborne.

Yr. Ob. David Holmes.

From the Governor,
To
Capt. Kempe. ..

Head Quarters, Town of Washington,
15th October, 1812.

Sir,

The bearer hereof will deliver to you twenty five horseman's swords of the Irish quality, and five of an inferior quality for the use of the Adams Troop.

You may expect to receive an order in the course of the next week to parade your troops, for the purpose of having the same mustered and inspected by Captain Holmes of the United States army, who has been appointed to discharge this duty.

Yr. Ob.
David Holmes.

Capt. Kempe.
of the Adams Troop.

Washington, 16th October, 1812.

Sir.

Lieutenant Davis of the United States army has written to me respecting David Kennedy a soldier in Captain Gwinn's company, who is claimed as an enlisted soldier by the commanding officer of the Cantonment Washington. The only mode by which the question of the legality of the enlistment can be tried is to deliver the man to the United States officer, when he can apply to the Judge, who is competent to release him if he is not properly enlisted. If he should be discharged he is then to return to his company in the militia. I have, therefore, delivered him to the commanding officer, in order that this course may be taken. You will cause the application to be made immediately.

I am &c

David Holmes.

General Orders.

Head Quarters, Town of Washington, 16th Octo., 1812.

A general Court martial to consist of seven members will convene at the Tent of Major Robinson, on this day at eleven O'clock, for the trial of such prisoners as may be brought before it. Major Raymond Robinson is hereby appointed President of the Court-Martial, and Lieutenant James Grew Judge advocate. The other members to be detailed by Col.o Gadsons.

David Holmes,

Com.r in chief, commanding the troops near cantonment Washington.

From the Governor
to
Brigadier Genl James Wilkinson

Town of Washington, 19th October, 1812.

Dr. Sir,

Your letter of the 25th ult. did not reach me until the 13th inst. This will account for your not having received an answer by the last mail.

Your reflections upon the situation of West Florida are perfectly just, and correspond with my own opinions relative to the subject. I am well convinced that the safety and interest of an important portion of this Territory would be greatly advanced by having possession of the town and port of Mobile. May, the interest of the United States under existing circumstances requires that measures should be taken without delay to remove this obstacle to a complete exercise of sovereignty within the declared limits of the Territory. But upon the best examination that I have been capable of giving the subject it appears very clear to me that I am not authorized to take any steps towards the accomplishment of this object.

The situation of East and West Florida was brought before Congress at the last session, and was discussed and considered with closed doors. In the House of Representatives a bill to authorize the President to occupy East and West Florida was brought in by Mr. Troup, a gentleman known to be friendly to the administration. This bill was passed and sent to the Senate for their concurrence. On the 3rd of July the bill was returned by the Senate rejected. There proceedings took place long after the passage of the law for annexing a part of West Florida to this Territory. You will find them in the 2nd volume of the journals of the last session, pages 77 and 97 secret journal. After Congress having thus refused to give an

unconditional authority to take complete possession of West Florida. I presume the President will consider himself confined to the restrictions contained in the law passed in 1811. That law gave the power to occupy East and West Florida upon the happening of certain events only. In all probability the Senate at the approaching session will see this subject in a different light. We may then be authorized to act.

Remonstrances and petitions have been presented to me stating the danger to be apprehended from the negroes and indians should the militia be marched out of the Territory. To these representations I have given no answer. But I am of opinion that if you can dispense with the service of the cavalry, and furnish us with two hundred mounted for the use of the militia that will remain at home, it would make the Country secure against any probable difficulties, and quiet the fears of many good citizens. The detachment now on campus near the cantonment Washington consists of one forth of the physical force of the Counties comprising the Mississippi district nearly one half of the entire population are Slaves, and the frontier Counties are thinly inhabited. These considerations, I am confident, will have with you their just weight. In slave Countries the danger of insurrections always exists, and the inhabitants should be prepared to meet the event.

I have been compelled to purchase for the use of the troops two hundred and fifty blankets. They have been delivered to them upon condition that, if the government requires it, the cost shall be deducted out of their pay. Many of them are without shoes, and in other respects badly clad. Can this be remedied?

Brigadier Genl. James Wilkinson

I have &c

David Holmes.

Private

From the Governor,

to

Major General Wilkinson } Town of Washington, 19th October, 1812.

Dear Sir,

About the time that Lieutenant Davis of the United States army was leaving this place with his recruits an occurrence happened which I feel myself bound to relate to you, as it may be in your power to redress, in some measure, the injury that a citizen has sustained from the overzealous conduct of one or more of your officers. A man by the name of David Kennedy entered the service of the militia as a substitute. Lieutenant Davis alleges to Cole Claiborne that he had been enlisted by his recruiting party. No steps were taken, nor was the subject mentioned to me until Friday last, the day that Lieutenant Davis left this place, when Captain Holmes informed me that this man had enlisted as a soldier in the United States army before the militia assembled at Cantonment Washington, and, therefore, I requested that he should be delivered to the officer of the united States troops, as it appeared that the man had been in the possession of Lieutenant Davis. This course was, therefore, taken with the express view on my part that the question of the validity of the enlistment should be tried by a habeas corpus before the competent authority. On the same day Lieutenant Davis upon his march to Natchez called at Mr. Danziger's where I informed him that David Kennedy who was then with the recruits denied her being a soldier in the army of the United States, and wished from enquiry as to the validity of his enlistment. Mr. Davis replied that he would obey any process from the civil authority, that he would appear and prove that Kennedy had enlisted. This was all that I desired. On Saturday morning the writ of habeas corpus was served, and on Sunday morning a return was made which clearly indicates that the man had been sent over the river with a view to deprive him of a right to which he was entitled by the laws of the country.

a copy of the return enclosed. On the day on which the Judge received the return Mr. Davis left Natchez for Orleans. No further proceedings could, therefore, take place relative to the business.

I have always entertained a good opinion of Lieutenant Davis. His conduct in every instance so far as it has come within my knowledge (except in the present case) has been correct. For this cause I have addressed myself to you upon this subject. It is my wish that Lieutenant Davis should suffer the severe penalty of evading a civil process; but I cannot rest satisfied upon this subject until I am certain that Kennedy has received the benefit of that trial to which he is entitled by the laws of this Country. His destitute situation engages my heart in his interest, and I am confident that you will be governed by feelings equally just and humane. If his enlistment should prove to be illegal he can be returned to the detachment of militia, where he will be bound to serve six months.

I have &c,

David Holmes.

Major Genl James Wilkinson.

P.S.

Lieutenant Davis did not state of his own knowledge any of the circumstances respecting the enlistment of Kennedy. I have no cause to complain of any part of his conduct in this affair but what happened after I informed him that the man intended to apply for a habeas corpus.

D. Holmes.

Head Quarters, Town of Washington, 20th October 1812.

General Orders.

Lieutenant Colo. Caradine of the 4th Regiment and Major Moore of the 5th Regiment having failed to attend the Court Martial for the trial of Major Montgomery, conformably to the general order of the 12th inst:, it is ordered that Captains Engle and Hoggatt of the 3rd Regiment supply their places.

David Holmes,
Commander in chief.

From the Governor,
to
General Claiborne.

Town of Washington, October 20th, 1812.

Sir.

The bearer hereof, William S. M. Hoy, claims to be exempted from militia duty. He will explain to you the grounds upon which he thinks himself entitled to this exemption. There are other circumstances attending his case which he will also develope to you. I have informed him that the representation must be made through you or Brigadier General before I can decide the question.

Yr. Ob. David Holmes.

Brigadier Gen. Claiborne.

General Orders.

Head Quarters, Town of Washington,
21st October 1812.

The Adams troop of Cavalry commanded by Capt. Kemper will parade at the Cantonment Washington, on Saturday the 24th inst:, at 11 o'Clock A. M., for the purpose of being mustered and inspected by the officer of United States army appointed to discharge that duty.

David Holmes.
Commander in chief.

Head Quarters, Town of Washington, 22d [illegible]

General Orders.

The contractor's agent having informed me that he is now prepared to furnish provisions to the troops near Cantonment Washington. He will commence issuing rations on tomorrow morning. He is required to be prepared to issue seven hundred rations per day until the Saturday the thirty first instant.

David Holmes.

Com.r in chief, commanding the troops near Cantonment Washington.

Head Quarters, Town of Washington, 22d Octobr, 1812.

General Orders,

Captain Jones having failed to attend the Court martial for the trial of Major S. Montgomery at the hour of this day to which the same was adjourned, Captain Guice will supply his place.

David Holmes,

Commanding in chief.

See page for the Governors approbation of the sentence of Court martial dated 24th October 1812.

From the Governor,
To
Robert Andrews esq.
Asst. deputy Quarter Master

Town of Washington, 26th Octobr, 1812.

Sir,

You are hereby required to furnish transportation for the detachment of militia, now encamped near Cantonment Washington to Baton Rouge. It is intended to march six hundred men including officers and non commissioned officers by land the whole of the distance. About forty who are unable to march it is intended to send to Baton Rouge by water; for these you will procure water transportation. Colo. Claiborne will furnish you with a return of the whole of the

troops which will enable you to regulate the transportation according to law. The transportation you will have ready at Cantonment Washington, on Monday next, at eleven O'Clock A. M.

Robt. Andrews esq.
Asst. dep. Quar. Master.

Yrs &c
David Holmes,

From the Governor
To
General Claiborne

Head Quarters, Town of Washington,
1st November 1812.

Sir,

You informed me a day or two ago that one additional company would be requisite to complete the regiment of militia encamped near Cantonment Washington. You will, therefore, detail a Captain for this duty from the brigade.

I have &c
David Holmes,

General Claiborne.

From the Governor,
To
John Brahan esq.
Contractor's agent.

Town of Washington, 1st November, 1812.

Sir,

On tuesday morning the 3rd inst. three corps of militia, encamped near Cantonment Washington, will attack on their march for Baton Rouge, under the command of Col. F. L. Claiborne. You will, therefore, be prepared to furnish them to that post with six hundred rations per day for ten days.

John Brahan esq,
Contractor's agent.

Yrs &c
David Holmes.

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Head Quarters. Town of Washington, 3rd Nov. 1812

General Orders.

The equipment of the detachment of militia ordered into the service of the United States being completed, so far as it has been in the power of the Commander in Chief to complete the same, every purpose which he proposed to himself by taking the command of the corps is now accomplished. He, therefore, resigns the immediate command, which of course devolves upon Col.o F. L. Claiborne the commanding officer in camp. In performing this duty the commander in chief cannot refrain from expressing his ardent wishes for the honor, the fame, and the happiness of the detachment collectively and individually

Officers, recollect that it is your duty to be attentive to the health, repectation and comfort of your men.

Soldiers, the cause in which you are engaged is worthy the deprivations which you will sustain. Remember that to be useful to your Country you must be obedient to the orders of those who are authorized to command.

David Holmes,
Commander in chief Militia Miss. Terry

The Governor's communication to the Legislature on the 3rd November 1812——

Gentlemen of the Legislative Council and House of Representatives.

The weighty and important duties that have devolved upon the Executive branch of our local Government in consequence of the eventfull and momentous crisis that has occured in the national concerns of our Country, renders the meeting of the Legislature at this time peculiarly gratifying to me, and highly interesting to your constituents.

The people of the United States from their situation, from the nature of their political institutions, which have solely in view

the liberty and happiness of the citizen, and from the strictly neutral and impartial course pursued towards the belligerent powers by their Government, might in justice have expected to remain undisturbed by the contending powers. But truth and justice are not the attributes of Governments founded upon Tyranny or supported by corruption: Pride, avarice, and an insatiable ambition can prompt them to extend their baneful influence and effects, unrestrained by the rights of others, and regardless of the happiness of those whom they profess to protect.

No nation ever endeavoured with more sincerity than the United States to avoid the war in which she is now engaged. The aggressions, insults, and outrages upon our lawful commerce and rights of sovereignty, were borne with until longer forbearance would have constituted the crime of submission. No efforts on the part of our Government could divert great Britain from her determined purpose of attempting to crush American commerce, and if possible American Independence. Propositions which could have been accepted by her without in the least degree wounding her national pride, but evidently calculated to promote her best interests, were rejected upon pretences too palpably erroneous for any one to believe that they were advanced with sincerity. Her disposition to depredate and insult seemed to increase with every effort on our part for amicable adjustment. The American Government became sensible that the honor and rights of the nation demanded that expostulation, remonstrance, and all other measures short of actual war should cease; that the alternative of an honorable of an honorable resistance or a base surrender of incontrovertable rights was placed before them. To have doubted as to the correct course under such convictions would have been dishonorable to themselves and disgraceful to their constituents. War, therefore, was resolved to as the only measure that could be taken to rescue the nation from abject degradation. This important change in our national affairs made it the duty of the

Executive of the Territory to take such measures for the defence and to aid in the war against the enemy, as his powers and the laws would authorize. Under this impression I issued an order on the 4th of July last directing a portion of the militia to be held in readiness for immediate service. At that time it was uncertain when their services would be required, but I considered that some preparatory measures were called for by the existing state of public affairs. On the sixth of September in pursuance of a requisition made by the authority of the General Government, an additional number was directed to be selected for actual service, and the whole of the force detailed from the Regiments west of Pearl River, amounting to about Seven hundred were ordered to rendezvous at Cantonment Washington. It is with much satisfaction I assure you Gentlemen, that on this occasion the militia of the Territory from every quarter evinced a degree of patriotism and determination to support the rights of their Country highly honorable to them as citizens, and as soldiers. Experience having shewn to us that the laws for organizing the militia require, in some instances, amendment, I therefore, recommend this important subject to the attentive consideration of the legislature. An authority should be given to appoint supernumerary officers, whose duty it should be to supply the vacancies occasioned by sending detachments from the several Regiments into actual service. This is indispensibly requisite to ensure the strict performance of duties highly interesting to the safety of the community. The number should be left discretionary with the executive, as in some battalions but few will be required, while in others the full complement may be necessary. The time for not repairing to the place of rendezvous when drafted and ordered into service is too inconsiderable to have the desired effect, and ought in my opinion to be increased. I would also suggest to the legislature the propriety of authorizing the executive to organize the cavalry into distinct regiments. The law at present merely gives the power of appointing field officers. By an act of the Congress of the United States passed at their last session, all that tract of Country lying East of Pearl River, West of Perdido &

South of the thirty first degree of North Latitude was annexed to the County to be governed by the laws thereof, and the laws and ordinances of the United States relative thereto: by the same act the inhabitants are entitled to one representative in the general Assembly. In pursuance of this law, I took measures to extend to the inhabitants of the annexed County (as far as I deemed myself authorized) the benefit of the laws. A proclamation, erecting the same into a County by the name of Mobile, was issued on the first day of August last, and such civil and military officers as were considered essential to preservation of order until the legislature could act fully upon the subject were appointed. On the seventeenth of September last I issued a proclamation authorizing the Sheriff to convene the freeholders for the purpose of electing a Representative to the General Assembly. I did not consider myself under the power of establishing Counts. This duty and others requisite to complete the organization of the County devolves upon the legislature, and requires their early attention. The documents alluded to will be laid before you. I rest confident, Gentlemen, that you will feel every disposition to extend to the citizens of the new County all the privileges and rights that are common to other Counties of the Territory.

In a former communication I submitted to the legislature the propriety of establishing a Judicial tribunal to which all cases of difficulty, arising in the superior Courts of the Counties might be adjourned at the discretion of the presiding Judge. Uniformity of decision in the Courts of Justice is intimately connected with a faithful administration of the laws, an object of so much importance to the community that I am again induced to call your attention to this subject. It is to be presumed that a measure of this kind would produce no more delay than might be required to form a quick and deliberate opinion. The propriety right to appeal in every case is susceptable of much abuse, as it may be used for the mere purposes of procrastination, but I cannot perceive any objection to the mode that is suggested; on the other hand I am persuaded it would tend to further the ends of

justice. From the operation of the revenue system adopted in
eighteen hundred and nine, I had reason to expect that by this time
it would have been in my power to have recommended to you a re-
duction of the territorial taxes; but from circumstances obvious to
all, any diminution of the rates of taxation at this time would be
unwise and improvident. The whole amount of the revenue appro-
priated has not been positively ascertained. I am told by the auditor that it
will probably amount to thirty five thousand dollars. Of this sum
there had been paid into the treasury in warrants and in specie
on the first day of the present month nineteen thousand one hundred
and forty five dollars and thirty four cents. The cash remaining in
the treasury on the same day amounted to upwards of nine thousand
dollars. The amount of warrants unextinguished which issued in
the years eighteen hundred and ten, eighteen hundred and eleven,
and eighteen hundred and twelve is eight hundred and forty eight
dollars and twenty eight cents.

In times like these, fellow citizens, our deliberations
should be conducted in a temper of determination and unanim-
-ity that will evince to our enemy, and to the world that the
strength of our country can be applied to the cause which it is
our sacred duty to support. In the adoption of all measures calcu-
-lated to support the safety, welfare, and happiness of your constit-
-tuents. I offer to you my hearty co-operation.

David Holmes.

From the Governor
To
Colo Claiborne.

Town of Washington, 4th November, 1812.

Sir,

I inclose to you conformable to your recommendation commissions for Ensigns Leason and White. I also send to you four blank commissions under cover to General Wilkinson, which you will deliver to him, and receive his instructions concerning.

I have &c.,

David Holmes.

Colo F. L. Claiborne.

From the Governor,
To
General Wilkinson

Town of Washington, 4th November, 1812.

Sir,

The detachment of militia marches from Cantonment Washington for Baton Rouge on yesterday evening, all in good health and high spirits. I inclose to you four blank commissions which you can use if you think proper when vacancies happen. I have refered Colo Claiborne to you for instructions upon this subject.

I have &c.,

David Holmes.

Majr. Genl. Jas. Wilkinson

Gentlemen of the House of Representatives.

By the death of Alexander Montgomery esqr. late a member of the legislative Council, a vacancy has happened in that branch of the legislature. The duty of nominating to the President of the United States two persons qualified conformably to the ordinance to fill the vacancy, thus occasioned, devolves upon the House of Representatives.

David Holmes.

November, 7th, 1812.

From the Governor
To
The Secretary at War

Town of Washington, 10th November 1812.

Sir,

I have the honor to inform you that on the 3rd inst. the detachment of militia, consisting of about six hundred men, march'd from Cantonment Washington for Baton Rouge under the command of General Delaibonne, who serves with the rank and emoluments of a Colonel.

By the next mail I will transmit to you an account of the disbursements made by me for the equipment of the detachment for actual service. The whole amount is two thousand four hundred and ninety five dollars, and sixty six cents. Of this sum I drew upon you for one thousand dollars, of which you were advised.

I have &c.,

David Holmes.

Hon.ble Wm. Eustis.

To the legislative Council and House of Representatives

I lay before the Legislature copies of the proclamations mentioned in my communication of the third instant.

12th November, 1872.

David Holmes.

From the Governor
To
The Secretary at War

Town of Washington, 17th November, 1812.

Sir.

I have the honor to inclose to you the account and vouchers of Lieut. B. F. Salvages, Quarter master to the detachment of militia. The whole amount paid by me to this officer is Two thousand four hundred and ninety five dollars, sixty six cents, which sum he disbursed on:

formably to my orders for the equipment of the troops. The blankets, which form a considerable item, were delivered to the soldiers upon condition, that the amount should be deducted out of their pay; but as these men are to serve six months I would respectfully suggest the propriety of their being released from this condition. I took upon myself the immediate command of the detachment with a view of superintending their equipment for actual service. In discharging this duty I endeavoured to observe the strictest economy.

I have &c,

Hon.ble Wm Eustis. David Holmes.

By

The balance due to me for money advanced to Lt. Salvage is $1495,00. For this sum, and one hundred dollars paid an express to the Leconties on Tombigbee, I will draw upon you.

David Holmes.

By David Holmes, Governor of the Mississippi Territory.

To all who shall see these presents: Whereas it has been represented to me by the Honorable Joseph Simpson, one of the superior Judges of this Territory, that a negro Slave called Peter (the property of Manuel Madden) was convicted of the crime of plotting the death of a fellow slave, at the last superior Court of Law and Equity, held for the County of Adams. And whereas the said Joseph Simpson, the presiding Judge at the trial, hath recommended the said negro slave Peter, now under sentence of death, to the clemency of the Executive. Now know ye, that I having duly considered the recommendation aforesaid, and the circumstances attending the case, do by virtue of the powers vested in me as Governor of this Territory, pardon the aforesaid Peter, and remit all punishment which by the sentence of the Court he was subjected to receive in consequence of the aforesaid conviction.

Given under my hand, and the seal of the Territory, at the Town of Washington, this 19th day of November, 1802.

David Holmes.

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From the Governor
To
Samuel Lacey esq.

Town of Washington, 7th December, 1812.

Sir,

Your letter of the 3rd inst: has been received — I inclose to you a commission for Jesse Harper conformably to your recommendation. The blank commission cannot be forwarded agreeably to the rules of this office.

yours &c.

David Holmes.

Samuel Lacey esq.

From the Governor
To
Col° Davis . . . .

Town of Washington, 10th December, 1812.

Dr Sir,

I received your letter of the 8th inst:, tendering your resignation of Lieutenant Col° Commandant of the second regiment. The causes that you asign for this step are considered as sufficient, and your resignation is, therefore, accepted. Receive the assurances of my respect and regard.

your &c.

David Holmes.

Col° Davis.
Wilkinson.

From the Governor.
To
The Chactaw Agent

Town of Washington, 15th December, 1812.

Dr Sir,

Lewis the person charged with the murder of the Indian who was found dead in Natchez has been fairly tried and acquitted by the laws of his Country. It is, however, probable that the friends of the Indian will not be satisfied with their verdict, and may perhaps attempt to take the life of Lewis or some other white person. It may

earnest with them every measure within the compass of our authority may be taken to avert this act. If the relations of the deceased Indian should not be satisfied with the explanation that may be made of Lewis trial I think it would be proper to make them some pecuniary compensation.

There was no evidence of Lewis having killed the Indian, who came by his death by falling over the bluff. The testimony amounted to this. Lewis charged the Indian with having stolen his gun, and by way of satisfaction tied him to a tree, and gave him about thirty lashes. He then untied him from the tree but left his hands tied. In this situation it was in proof that Lewis left him. Shortly after he fell over the bluff, and was killed by the fall.

Yr. &c.

David Holmes.

Mr. Silas Dinsmoor.

David Holmes, Governor of the Mississippi Territory. To all who shall see these presents: Be it known that William Bates is hereby authorized to administer all oaths of office to the several officers who shall or may appear in the County of Jackson in said Territory.

Given under my hand at the Town of Washington, the 25th day of December 1872.

David Holmes.

General Orders, Head Quarters, Town of Washington, 24th Dec. 1872.

The commander in chief has examined the proceedings of the Court Martial ordered for the trial of Aquila Green and Isaac Baker, and approves the sentence of the Court. Col. Claiborne will have the same carried into execution.

David Holmes.

Comm.r in chief, commanding the troops near Cantonment, Washington.

The foregoing General orders are respected in the absence of the Secretary, and not recorded in order Book as the rule takes. H Dangerfield Aid.